

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 23, 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 7:15 p.m. on Monday, November 23, 1998, with Councillor SerVaas presiding.

Councillor Bradford 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 Jones recognized representatives from the Near Eastside Community Organization (NESCO).

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

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

Journal of the City-County Council

Chambers, on Monday, November 23, 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

November 10, 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, November 11, 1998, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, November 12, 1998, a copy of a Notice of Public Hearing on Proposal Nos. 679-684, 686, and 688-690, 1998, said hearing to be held on Monday, November 23, 1998, at 7:00 p.m. in the City-County Building.

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

November 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:

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. 149, 1998 - authorizes a multi-way stop at Cobden Lane and Inland Drive (District 1)

GENERAL ORDINANCE NO. 150, 1998 - authorizes a multi-way stop at Hunters Green Place and Hunters Green Way (District 1)

GENERAL ORDINANCE NO. 151, 1998 - authorizes a multi-way stop at Bradbury Avenue and Villa Avenue (District 21)

GENERAL ORDINANCE NO. 152, 1998 - authorizes a multi-way stop at McFarland Boulevard and McFarland Lane (District 24)

GENERAL ORDINANCE NO. 153, 1998 - authorizes a multi-way stop at 40th Street and Park Avenue (District 6)

GENERAL ORDINANCE NO. 154, 1998 - authorizes a multi-way stop at 42nd Street and Winthrop Avenue (District 6)

GENERAL ORDINANCE NO. 155, 1998 - authorizes parking restrictions on Crittenden Avenue from 46th Street to a point 132 feet south of 46th Street (District 6)

GENERAL ORDINANCE NO. 156, 1998 - authorizes parking restrictions on Ray Street, on the north side, from Madison Avenue to Pennsylvania Street (District 16)

GENERAL ORDINANCE NO. 157, 1998 - authorizes (1) the removal of parking meters on Illinois Street between 18th Street and 21st Street, and on 14th Street between Pennsylvania Street and Senate Avenue; and (2) the addition of parking restrictions on 14th Street between Meridian Street and Pennsylvania Street (District 22)

GENERAL ORDINANCE NO. 158, 1998 - authorizes a weight restriction on 25th Street from Post Road to German Church Road (Districts 5, 12)

SPECIAL RESOLUTION NO. 45, 1998 - recognizes the Indiana Athletic Teen Basketball Association

SPECIAL RESOLUTION NO. 46, 1998 - recognizes the 85th Anniversary of Parc-Way Assembly of God

November 23, 1998

SPECIAL RESOLUTION NO. 47, 1998 - requests the Indiana Department of Transportation to add more lanes at the I-465 and Michigan Road interchange

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 November 9, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 724, 1998. The proposal commends the 1999 IPALCO 500 Festival Parade for recognizing America's Medal of Honor recipients. Councillor Hinkle read the proposal and presented representatives with copies of the document and Council pins. John Hodowal, Indianapolis Power and Light Company, thanked the Council for the recognition and stated that his company is proud to bring true American heroes to this event. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 724, 1998 was adopted by a unanimous voice vote.

Proposal No. 724, 1998 was retitled SPECIAL RESOLUTION NO. 48, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1998

A SPECIAL RESOLUTION commending the 1999 IPALCO 500 Festival Parade for recognizing America's Medal of Honor recipients.

WHEREAS, the Medal of Honor is the highest award for valor in action against an enemy that the United States of America can bestow; and

WHEREAS, of the 3,429 Medals of Honor that have ever been authorized, there are now 162 living recipients of the award; and

WHEREAS, a special plaque in the Indiana State Capitol rotunda names the Hoosiers who have earned the Medal of Honor, including ten from World War II, three in Korea and three in Vietnam; and

WHEREAS, the May 29, 1999, IPALCO 500 Festival Parade on the day before the Indianapolis 500 Race will feature not only the 33 Indianapolis 500 race drivers, but all of the surviving Medal of Honor winners who are willing and able to attend as Grand Marshals of the Parade in downtown Indianapolis passing before more than 250,000 people; 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 commends all those associated with the 1999 IPALCO 500 Festival Parade especially Mr. and Mrs. John R. Hodowal of IPALCO Enterprises, Inc., Malcom Applegate next year's 500 Festival volunteer president and Elizabeth Kraft-Meek, 500 Festival

executive director for their initiative in paying tribute to those whose extraordinary heroism and bravery in the field of battle have earned them the nation's highest military award.

SECTION 2. Recognizing these role model heroes next May is a very fitting tribute for the last Memorial Day of the 20th Century.

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. 725, 1998. The proposal recognizes the public service of Ed Mitro. Councillor Hinkle read the proposal and presented Mr. Mitro with a copy of the document and a Council pin. Mr. Mitro thanked the Council for this recognition and stated that it has been a pleasure to work with the Councillors and staff. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 725, 1998 was adopted by a unanimous voice vote.

Proposal No. 725, 1998 was retitled SPECIAL RESOLUTION NO. 49, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1998

A SPECIAL RESOLUTION recognizing the public service of Ed Mitro.

WHEREAS, Ed Mitro, a native Hoosier, came to work for the Indianapolis Department of Metropolitan Development as a land use planner in 1984 when David Carley was Director of the department, and folks like Gene Lausch, Rudy Hightower, Jon Meeks and Mike Higbee were up-and-comers there; and

WHEREAS, Ed did his undergraduate work at Indiana University, and earned his Master's Degree in Urban Planning at Ball State University; and

WHEREAS, during his almost decade and a half with DMD, Ed worked on modernizing all of the city-county's major zoning ordinances, he won the Indiana Planning Association's Outstanding Planning Award for revising the Commercial Zoning Ordinance, and along the way he earned the confidence, respect and trust of the DMD staff, the Council, and the public; and

WHEREAS, throughout this busy work life he has still found time to be involved with directing, designing and performing in stage theaters around the city and enjoys collecting antique clocks and phonographs; 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 many years of exemplary public service by Department of Metropolitan Development Principal Planner Ed Mitro.

SECTION 2. The Council wishes him well in the future as he takes his vast knowledge and experience to the private sector.

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. 700, 1998. The proposal, sponsored by Councillor SerVaas, approves a schedule of regular council meetings for the year 1999. Councillor Short moved, seconded by Councillor Gilmer, for adoption. Proposal No. 700, 1998 was adopted by a voice vote.

Proposal No. 700, 1998 was retitled COUNCIL RESOLUTION NO. 72, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 1998

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1999.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1999:

- | | |
|-------------------------------|---------------------------------|
| (1) Monday, January 04, 1999 | (11) Monday, July 19, 1999 |
| (2) Monday, January 25, 1999 | (12) Monday, August 02, 1999 |
| (3) Monday, February 08, 1999 | (13) Monday, August 30, 1999 |
| (4) Monday, February 22, 1999 | (14) Monday, September 13, 1999 |
| (5) Monday, March 15, 1999 | (15) Monday, September 27, 1999 |
| (6) Monday, April 05, 1999 | (16) Monday, October 18, 1999 |
| (7) Monday, April 26, 1999 | (17) Monday, November 08, 1999 |
| (8) Monday, May 17, 1999 | (18) Monday, November 29, 1999 |
| (9) Monday, June 07, 1999 | (19) Monday, December 13, 1999 |
| (10) Monday, June 21, 1999 | |

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 645, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code relating to the citizens police complaint board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 717, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which authorizes tax anticipation borrowing for the City during the period from January 1, 1999, through December 31, 1999"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 718, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which authorizes tax anticipation borrowing for the County General Fund, the County Family and Children's Fund, and the County Welfare Fund during the period from January 1, 1999, through December 31, 1999"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 719, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which authorizes appraisals to purchase real estate at 531 Virginia Avenue from Matt Corporation of Indiana by Marion County for use by the Marion County Superior Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 720, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$30,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (County General Fund) to pay

for supplies for the balance of 1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 721, 1998. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$162,825 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund a grant to the Family Advocacy Center for domestic violence and protective order advocates and other expenses 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. 722, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$117,674 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund a grant to the Family Advocacy Center for domestic violence advocates, a child interviewer, a family resource coordinator, and other expenses 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. 723, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves and authorizes execution of an agreement between the City of Indianapolis and the City of Lawrence for the treatment and disposal of sewage and wastewater"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 726, 1998. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code concerning the reorganization of the Department of Capital Asset Management"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 727, 1998. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Rules of the Council concerning regulatory review procedures"; and the President referred it to the Regulatory Research and Review Committee.

PROPOSAL NO. 728, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$93,750 in the 1998 Budget of the Clerk of the Circuit Court (County General Fund) to pay contractual expenses for the balance of 1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 729, 1998. Councillor Borst reported that the Economic Development Committee heard Proposal No. 729, 1998 on November 19, 1998. The proposal is a special ordinance for Thomas W. Killion authorizing the issuance of \$1,210,000 in City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds, Series 1998, to refund the previously-issued \$1,280,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1997, located at 7901 West 21st Street (Thomas W. Killion Project) (District 18). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that

it do pass. Councillor Borst moved, seconded by Councillor Massie, for adoption. Proposal No. 729, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Dowden, Golc, Talley

Proposal No. 729, 1998 was retitled SPECIAL ORDINANCE NO. 11, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1998

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$1,210,000 City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds, Series 1997 (Thomas W. Killion Project) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12, as amended, and Title 5, Article 1, Chapter 5, as amended (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, limited liability company or individual for the purpose of financing or refinancing 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 corporate trustee; and

WHEREAS, in order to provide money with which to fund the acquisition, construction and equipping of a 21,000 square foot building located on a 6.5 acre parcel of land at 7901 West 21st Street, Indianapolis, Indiana for use in the manufacture of novelty pens and pencils by Thomas W. Killion and his affiliate, Killion Corporation (the "Project") and pay certain costs of issuance, the City of Indianapolis, Indiana (the "Issuer") has previously issued, sold and delivered its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1997 (Thomas W. Killion Project) in the principal amount of \$1,280,000 (the "Prior Bonds"), pursuant to a Bond Purchase and Loan Agreement among Thomas W. Killion (the "Borrower"), The Huntington National Bank and the Issuer and has previously made a loan (the "Prior Loan") of the proceeds thereof to the Borrower; and

WHEREAS, the Prior Bonds are subject to redemption prior to maturity in whole or in part on certain dates, in the event and to the extent that the outstanding principal balance of the Prior Loan is prepaid on an optional basis by the Borrower; and

WHEREAS, a representative of the Borrower has notified the Issuer of its intention to prepay the Prior Loan and cause the redemption of the Prior Bonds; and

WHEREAS, a representative of the Borrower has requested that the Issuer provide a new loan to the Borrower (the "Loan"), for the purpose of refinancing the Project and providing for the refunding of the Prior Bonds; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to refinance the Project by issuing its \$1,210,000 City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds, Series 1998 (Thomas W. Killion Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, on November 18, 1998, adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the financing and refinancing 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 (i) issue the Bonds, (ii) evidence the sale of the Bonds to the purchaser thereof and (iii) set forth the terms of the loan to the Borrower of the proceeds thereof pursuant to a Bond Purchase and Loan Agreement dated as of December 1, 1998 among the Issuer, First National Bank & Trust, and the Borrower (the "Loan Agreement"); and

WHEREAS, the Loan Agreement provides for the repayment by the Borrower of the loan of the proceeds of the Bonds pursuant to which the Borrower 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 refinancing and 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 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 and refinancing 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 Borrower for the purposes of refinancing the Project, and the repayment of said loan by the Borrower 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 forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article I, 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 \$1,210,000 for the purpose of procuring funds to loan to the Borrower in order to refinance the Project which Bonds will be payable as to principal and interest solely from the payments made by the Borrower 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. The City Clerk and the 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% per annum, which sale shall occur not later than 90 days after the effective date of this special ordinance.

SECTION 5. 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 facsimile signatures. The City Clerk and the 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 the 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 the 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 6. The provisions of the 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

November 23, 1998

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 7. 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.

PROPOSAL NO. 730, 1998. Councillor Borst reported that the Economic Development Committee heard Proposal No. 730, 1998 on November 19, 1998. The proposal is an inducement resolution for Pedcor Investments, LLC acting on behalf of a to-be-formed limited partnership and/or Affordable Housing Partners, Inc., an Indiana not-for-profit in an amount not to exceed \$14,000,000 to be used for the acquisition, development, construction, and equipping of a 192-unit residential complex to be located at 2925 Waterfront Parkway (Waterfront Property Project) (District 18). 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 Shambaugh, for adoption. Proposal No. 730, 1998 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Golc, Gray, Jones, Massie, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Tilford, Williams

4 NAYS: Gilmer, McClamroch, Schneider, Smith

3 NOT VOTING: Dowden, Hinkle, Talley

Proposal No. 730, 1998 was retitled SPECIAL RESOLUTION NO. 50, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1998

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition and rehabilitation, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Pedcor Investments, LLC acting on behalf of a to-be-formed limited partnership and/or Affordable Housing Partners, Inc., an Indiana not-for-profit organization (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities referred to as the acquisition, development, construction and equipping of a 192-unit apartment complex containing 80 one-bedroom units, 72 two-bedroom units and 40 three-bedroom units configured in 12 two-story buildings plus a one-story clubhouse to be located at 2925 Waterfront Parkway, Indianapolis, Indiana (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the development and construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, development, construction and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$14,000,000 under the Act to be privately placed or publicly offered with credit enhancement for the development and construction of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the development and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, development, construction and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires May 31, 1999, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously-issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and rehabilitation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

Councillor Gilmer made the following motion:

Mr. President:

I move that Proposal No. 734, 1998 (Rezoning Case 98-Z-217) be scheduled for a hearing before this Council at its next regular meeting on December 14, 1998 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Consent was given to schedule this proposal for a public hearing on December 14, 1998. Proposal No. 734, 1998 is identified as follows:

98-Z-217
4502 WEST 56th STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1
CROSSMAN COMMUNITIES CORPORATION, by Stephen D. Mears, requests a rezoning of 12.36 acres, being in the C-S District, to the D-5II classification to provide for a single-family residential development.

PROPOSAL NO. 731, 1998, PROPOSAL NO. 732, 1998, and PROPOSAL NOS. 733, 735-741, 1998. Introduced by Councillor Hinkle. Proposal No. 731, 1998, Proposal No. 732, 1998, and Proposal Nos. 733-741, 1998 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 18, 1998, November 19, 1998 and November 20, 1998, respectively. 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. 239-248, 1998, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 239, 1998.
98-Z-222(A)
5961 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1
BALWIR S. AND GURMEET K. CHEEMA, by Michael D. Keele, request a rezoning of 0.375 acre from C-1 to C-3 for neighborhood commercial uses.

REZONING ORDINANCE NO. 240, 1998.
98-Z-201
533 EAST SUMNER AVENUE (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20
SUE N. CARVER, by Paul M. Pittmann, requests a rezoning of 0.5 acre, being in the D-3 (FF) Districts, to the C-3 (FF) classifications to provide for neighborhood commercial uses including office use.

REZONING ORDINANCE NO. 241, 1998.
98-Z-207
802-842 FAYETTE STREET (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1.2 acre, being in the I-3-U (RC) Districts, to the CBD-2 (RC) classifications to provide for central business district-two uses.

REZONING ORDINANCE NO. 242, 1998.
98-Z-226
4826-4838 EAST FLETCHER AVENUE (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 3.5 acres, being in the D-5 District, to the SU-1 classification to provide for an existing church and accessory uses.

REZONING ORDINANCE NO. 243, 1998.
98-Z-231
4302 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19
LARRY and RHONDA BERNS request a rezoning of 6 acres, being in the SU-1 District, to the I-2-S classification to provide for light industrial suburban uses.

REZONING ORDINANCE NO. 244, 1998.
98-Z-232 (98-DP-27)
5202 ALAMEDA ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2
CROSSMAN COMMUNITIES PARTNERSHIP, by Steven D. Mears, requests a rezoning of 25.3 acres, being in the D-2 District, to the D-P classification to provide for single-family residential development.

REZONING ORDINANCE NO. 245, 1998.
98-Z-237 (Amended)
4201 MOLLER ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9
HOUSING TODAY, LLC., by Thomas M. Quinn, requests a rezoning of 4.8 acres, being in the C-3 District, to the D-P classification to provide for construction of a seniors' apartment community.

REZONING ORDINANCE NO. 246, 1998.
98-Z-242
7501 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23
BASIC AMERICAN INDUSTRIES, by Thomas M. Quinn, requests a rezoning of 20.01 acres, being in the C-S District, to the C-S classification to provide for the following uses: health and recreational uses, child care, convalescent center, assisted living and dependent care facilities, offices with storage for equipment and materials, hotels and limited C-3 uses.

REZONING ORDINANCE NO. 247, 1998.
98-Z-255
401-421 NORTH ILLINOIS STREET (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.61 acre, being in the CBD-3 District, to the CBD-S classification to provide for apartments, condominiums, offices, parking lots or parking facilities, for redevelopment of the property.

REZONING ORDINANCE NO. 248, 1998.
98-Z-256
402 and 410 NORTH MERIDIAN STREET (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.94 acre, being in the CBD-3 District, to the CBD-S classification to provide for apartments, condominiums, offices parking lots, or parking facilities, to allow for redevelopment of the property.

SPECIAL ORDERS - PUBLIC HEARING

In Councillor Dowden's absence, Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 595, 638-640, 642, 643, and 683-684, 1998 on November 11, 1998 and Proposal Nos. 641, 680-682, 686, and 688-690, 1998 on November 18, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 595, 1998. The proposal approves an increase of \$161,348 in the 1998 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to continue and expand the alternative sentencing program funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 638, 1998. The proposal approves an increase of \$5,000 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to fund overtime for a deputy to participate in the "Operation Failed Chance" task force in designated "Weed and Seed" areas funded by a grant from the US Marshall. PROPOSAL NO. 639, 1998. The proposal approves an increase of \$82,873 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants

Fund) to fund the final year of a five-year study on alternative sentences for drunk driving defendants funded by a grant from the Governor's Council on Impaired and Dangerous Driving. PROPOSAL NO. 640, 1998. The proposal approves an increase of \$348,674 in the 1998 Budgets of the Prosecuting Attorney and County Auditor (State and Federal Grants Fund) to continue the Victim Advocate and the Adult Protective Services Programs funded by grants from the Indiana Criminal Justice Institute. PROPOSAL NO. 641, 1998. The proposal approves an increase of \$906 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (Guardian Ad Litem Fund) to increase funding to Child Advocates, Inc. funded by a grant from the State of Indiana. PROPOSAL NO. 642, 1998. The proposal approves an increase of \$434,431 in the 1998 Budget of the Community Corrections Agency (Home Detention User Fee Fund) to fund the Agency for fiscal year 1998-1999 funded by home detention user fees. PROPOSAL NO. 643, 1998. The proposal approves an increase of \$100,000 in the 1998 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase data transcription equipment, financed by a character transfer and a reduction in the fund balance in the Local Law Enforcement Block Grant program. PROPOSAL NO. 680, 1998. The proposal approves an increase of \$68,090 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Child Advocates funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 681, 1998. The proposal approves an increase of \$15,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to increase funding for Project Impact funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 683, 1998. The proposal, sponsored by Councillors Dowden and Talley, approves an increase of \$95,668 in the 1998 Budgets of the County Auditor and County Sheriff (State and Federal Grants Fund) to fund the Victim Assistance and Child Abuse Intervention and Prevention Programs for 1998/1999 funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 684, 1998. The proposal approves an increase of \$17,871 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to pay salaries of two officers assigned to the FBI Task Force Program financed by a grant from the Federal Bureau of Investigation. PROPOSAL NO. 686, 1998. The proposal approves an increase of \$133,124 in the 1998 Budget of the Marion County Superior Court (Jury Pay Fund) to pay jury expenses financed by fund balances. PROPOSAL NO. 688, 1998. The proposal, sponsored by Councillors Dowden and Talley, approves an increase of \$400,000 in the 1998 Budgets of the County Auditor and of the Marion County Superior Court (State and Federal Grants Fund) to fund the treatment-based drug court for two years funded by a grant from the United States Department of Justice/Drug Court Program Office. PROPOSAL NO. 689, 1998. The proposal approves an increase of \$78,815 in the 1998 Budgets of the County Auditor and Marion County Superior Court (State and Federal Grants Fund) to hire a clinical social worker and to support other operating costs for the Court's Title IV-D access and visitation program for non-custodial parents funded by a grant from the Indiana Family Social Services Administration. PROPOSAL NO. 690, 1998. The proposal approves an increase of \$35,000 in the 1998 Budget of the Marion County Superior Court (State and Federal Grants Fund) to continue court-ordered supervised visitation provided by Indiana Advocates for Children, Inc. funded by a grant from the Indiana Criminal Justice Institute. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:10 p.m. There being no one present to testify. Councillor Smith moved, seconded by Councillor Talley, for adoption. Proposal Nos. 595, 638-643, 680, 681, 683, 684, 686, and 688-690, 1998 were adopted on the following roll call vote: viz:

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

0 NAYS:

5 NOT VOTING: Black, Dowden, Franklin, Schneider, Talley

Proposal No. 595, 1998 was retitled FISCAL ORDINANCE NO. 142, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 142, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Sixty-one Thousand Three Hundred Forty-eight Dollars (\$161,348) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency 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,u) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency and County Auditor to continue and expand the alternative sentencing program.

SECTION 2. The sum of One Hundred Sixty-one Thousand Three Hundred Forty-eight Dollars (\$161,348) 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	11,674
 <u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	58,370
3. Other Services and Charges	70,304
4. Capital Outlay	<u>21,000</u>
TOTAL INCREASE	161,348

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>161,348</u>
TOTAL REDUCTION	161,348

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. 638, 1998 was retitled FISCAL ORDINANCE NO. 143, 1998, and reads as follows:

November 23, 1998

CITY-COUNTY FISCAL ORDINANCE NO. 143, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Five Thousand Dollars (\$5,000) in the State and Federal Grants Fund for purposes of the County Sheriff 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 I.02(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 to fund overtime for a deputy to participate in the "Operation Failed Chance" task force in designated "Weed and Seed" areas funded by a grant from the US Marshall.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) 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 SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. Personal Services	<u>5,000</u>
TOTAL INCREASE	5,000

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>5,000</u>
TOTAL REDUCTION	5,000

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. 639, 1998 was retitled FISCAL ORDINANCE NO. 144, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 144, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Eighty-two Thousand Eight Hundred Seventy-three Dollars (\$82,873) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney 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 I.02(b,v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to fund the final year of a five year study on alternative sentences for drunk driving defendants funded by a grant from the Governor's Council on Impaired and Dangerous Driving.

SECTION 2. The sum of Eighty-two Thousand Eight Hundred Seventy-three Dollars (\$82,873) 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	15,027
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	60,108
2. Supplies	330
3. Other Services and Charges	<u>7,408</u>
TOTAL INCREASE	82,873

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>82,873</u>
TOTAL REDUCTION	82,873

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. 640, 1998 was retitled FISCAL ORDINANCE NO. 145, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 145, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Three Hundred Forty-eight Thousand Six Hundred Seventy-four Dollars (\$348,674) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney 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,v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to continue the Victim Advocate and the Adult Protective Services Programs funded by grants from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Three Hundred Forty-eight Thousand Six Hundred Seventy-four Dollars (\$348,674) 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>
I. Personal Services - fringes	65,117
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	255,360
3. Other Services and Charges	24,697
4. Capital Outlay	<u>3,500</u>
TOTAL INCREASE	348,674

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>348,674</u>
TOTAL REDUCTION	348,674

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. 641, 1998 was retitled FISCAL ORDINANCE NO. 146, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 146, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Nine Hundred Six Dollars (\$906) in the Guardian Ad Litem Fund for purposes of the Marion County Superior Court, Juvenile Division and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem 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 I.02(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division to increase funding to Child Advocates, Inc. funded by a grant from the State of Indiana.

SECTION 2. The sum of Nine Hundred Six Dollars (\$906) 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>MARION COUNTY SUPERIOR COURT</u>	<u>GUARDIAN AD LITEM FUND</u>
3. Other Services and Charges	906
TOTAL INCREASE	906

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

	<u>GUARDIAN AD LITEM FUND</u>
Unappropriated and Unencumbered	
Guardian Ad Litem Fund	<u>906</u>
TOTAL REDUCTION	906

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

Proposal No. 642, 1998 was retitled FISCAL ORDINANCE NO. 147, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 147, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Four Hundred Thirty-four Thousand Four Hundred Thirty-one Dollars (\$434,431) in the Home Detention User Fee Fund for purposes of the Community Corrections Agency and County Auditor and reducing the unappropriated and unencumbered balance in the Home Detention User Fee 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,z) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency and County Auditor to fund the Community Corrections Agency for fiscal year 1998-1999 funded by home detention user fees.

SECTION 2. The sum of Four Hundred Thirty-four Thousand Four Hundred Thirty-one Dollars (\$434,431) 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>HOME DETENTION USER FEE FUND</u>
1. Personal Services - Fringes	52,258
<u>COMMUNITY CORRECTIONS AGENCY</u>	
1. Personal Services	197,563
2. Supplies	12,500
3. Other Services and Charges	154,610
4. Capital Outlay	<u>17,500</u>
TOTAL INCREASE	434,431

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>434,431</u>
TOTAL REDUCTION	434,431

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

Proposal No. 643, 1998 was retitled FISCAL ORDINANCE NO. 148, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 148, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the Federal Grants Fund and reducing certain other appropriations for the Department of Public Safety, Police Division.

November 23, 1998

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 (m) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for purchase of data transcription equipment.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the budget and unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
4. Capital Outlay	<u>FEDERAL GRANTS FUND</u>
	<u>100,000</u>
TOTAL INCREASE	100,000

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

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
3. Other Services and Charges	<u>FEDERAL GRANTS FUND</u>
	<u>70,000</u>
TOTAL DECREASE	70,000

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

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 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. 680, 1998 was retitled FISCAL ORDINANCE NO. 149, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 149, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Sixty-eight Thousand Ninety Dollars (\$68,090) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court Juvenile Division to fund Child Advocates funded by a grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Sixty-eight Thousand Ninety Dollars (\$68,090) 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>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>68,090</u>
TOTAL INCREASE	68,090

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>68,090</u>
TOTAL REDUCTION	68,090

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. 681, 1998 was retitled FISCAL ORDINANCE NO. 150, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 150, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Fifteen Thousand Dollars (\$15,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division to Increase funding for Project Impact funded by a grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Fifteen Thousand Dollars (\$15,000) 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>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>15,000</u>
TOTAL INCREASE	15,000

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>15,000</u>
TOTAL REDUCTION	15,000

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. 683, 1998 was retitled FISCAL ORDINANCE NO. 151, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 151, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Ninety-five Thousand Six Hundred Sixty-eight Dollars (\$95,668) 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 the Victim Assistance and Child Abuse Intervention and Prevention Programs for 1998-1999 funded by a grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Ninety-five Thousand Six Hundred Sixty-eight Dollars (\$95,668) 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	21,097
<u>COUNTY SHERIFF</u>	
1. Personal Services	64,571
3. Other Services and Charges	6,250
4. Capital Outlay	<u>3,750</u>
TOTAL INCREASE	95,668

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>95,668</u>
TOTAL REDUCTION	95,668

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. 684, 1998 was retitled FISCAL ORDINANCE NO. 152, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 152, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Seventeen Thousand Eight Hundred Seventy-one Dollars (\$17,871) in the State and Federal Grants Fund for purposes of the County Sheriff 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(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 to pay salaries of two officers assigned to the F. B. I. Task Force Program finances by a grant from the Federal Bureau of Investigation.

SECTION 2. The sum of Seventeen Thousand Eight Hundred Seventy-one Dollars (\$17,871) 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 SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>17,871</u>
TOTAL INCREASE	17,871

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>17,871</u>
TOTAL REDUCTION	17,871

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. 686, 1998 was retitled FISCAL ORDINANCE NO. 153, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 153, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Thirty-three Thousand One Hundred Twenty-four Dollars (\$133,124) in the Jury Pay Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Jury Pay 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended

by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay jury expenses.

SECTION 2. The sum of One Hundred Thirty-three Thousand One Hundred Twenty-four Dollars (\$133,124) 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>MARION COUNTY SUPERIOR COURT</u>	<u>JURY PAY FUND</u>
3. Other Services and Charges	<u>133,124</u>
TOTAL INCREASE	133,124

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

	<u>JURY PAY FUND</u>
Unappropriated and Unencumbered	
Jury Pay Fund	<u>133,124</u>
TOTAL REDUCTION	133,124

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

Proposal No. 688, 1998 was retitled FISCAL ORDINANCE NO. 154, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 154, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Four Hundred Thousand Dollars (\$400,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court 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,cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court and County Auditor to fund the treatment-based drug court for two years funded by a grant from the United States Department of Justice/Drug Court Program Office.

SECTION 2. The sum of Four Hundred Thousand Dollars (\$400,000) 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	<u>37,907</u>
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	151,630
3. Other Services and Charges	<u>210,463</u>
TOTAL INCREASE	400,000

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>400,000</u>
TOTAL REDUCTION	400,000

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. 689, 1998 was retitled FISCAL ORDINANCE NO. 155, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 155, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Seventy-eight Thousand Eight Hundred Fifteen Dollars (\$78,815) in the State and Federal Grants Fund for purposes of the Marion County Superior Court 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,cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court and County Auditor to hire a clinical social worker and support other operating costs for the Court's Title IVD access and visitation program for non-custodial parents funded by a grant from the Indiana Family Social Services Administration.

SECTION 2. The sum of Seventy-eight Thousand Eight Hundred Fifteen Dollars (\$78,815) 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	11,725
 <u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	39,801
2. Supplies	3,500
3. Other Services and Charges	9,789
4. Capital Outlay	<u>14,000</u>
TOTAL INCREASE	<u>78,815</u>

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>78,815</u>
TOTAL REDUCTION	<u>78,815</u>

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. 690, 1998 was retitled FISCAL ORDINANCE NO. 156, 1998, and reads as follows:

FISCAL ORDINANCE NO. 156, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Thirty-five Thousand Dollars (\$35,000) in the State and Federal Grants Fund for purposes of the 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to continue court ordered supervised visitation provided by Indiana Advocates for Children, Inc. funded by a grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Thirty-five Thousand Dollars (\$35,000) 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>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>35,000</u>
TOTAL INCREASE	35,000

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>35,000</u>
TOTAL REDUCTION	35,000

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. 679, 1998. The proposal approves an increase of \$2,700 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for additional funding to Breaking Free funded by a grant from the Indiana Criminal Justice Institute. Councillor Smith moved, seconded by Councillor Schneider, to postpone Proposal No. 679, 1998 until December 14, 1998. Proposal No. 679, 1998 was postponed by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 646 and 685, 1998 on November 11, 1998 and Proposal Nos. 677 and 687, 1998 on November 18, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 646, 1998. The proposal, sponsored by Councillor Moores, approves amendments to the Marion County Sheriff's Department Personnel Retirement Plan. PROPOSAL NO. 677, 1998. The proposal, sponsored by Councillors Dowden and Talley, authorizes a drug treatment diversion program fee and establishes a drug treatment diversion program fund. PROPOSAL NO. 685, 1998. The proposal approves a transfer of \$200,000 in the 1998 Budget of the County Sheriff (County General Fund) to pay expenses for the balance of 1998. PROPOSAL NO. 687, 1998. The proposal, sponsored by Councillors Dowden and Talley, approves a transfer of \$42,000 in the 1998 Budget of the Marion County Superior Court (County General Fund) to pay juror expenses. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that Proposal Nos. 646, 685, and 687, 1998 do pass and that Proposal No. 677, 1998 do pass as amended. Councillor Smith moved, seconded by Councillor Moores, for adoption. Proposal Nos. 646, 685, and 687, 1998 and Proposal No. 677, 1998, as amended, were adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Dowden, Franklin, Talley

Proposal No. 646, 1998 was retitled SPECIAL RESOLUTION NO. 51, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1998

A SPECIAL RESOLUTION approving amendments to the Marion County Sheriff's Department Personnel Retirement Plan.

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

SECTION 1. Pursuant to IC 36-8-10-12, the "Section Amendment to the Marion County Sheriff's Department Personnel Retirement Plan," as set forth in the copy which is attached to this resolution, be, and is hereby approved.

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

Proposal No. 677, 1998, as amended, was retitled GENERAL ORDINANCE NO. 159, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 159, 1998

A PROPOSAL FOR A GENERAL ORDINANCE to amend Article III of Chapter 131 of the "Revised Code of the Consolidated City and County" by the addition of a new user fee to be known as the "drug treatment diversion program fee," and to amend Article II of Chapter 135 of the "Revised Code of the Consolidated City and County" by the addition of a new nonreverting fund to be known as the "drug treatment diversion program fund," and recodify Sec. 135-221 as Sec. 135-521.

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

SECTION 1. Article III of Chapter 131 of the "Revised Code of the Consolidated City and County" concerning court fees hereby is amended by the addition of a NEW Sec. 131-304, to read as follows:

Sec. 131-304. Drug treatment diversion program fee.

The executive committee of the Marion Superior Court, through its criminal courts division, may assess a drug treatment diversion program fee against persons who are deemed eligible for participation in such program operated through the Marion Superior Court. The fee shall be in the amount of thirty-five dollars (\$35.00) for each calendar month or portion thereof during which the person participates in such program. The collection of the drug treatment diversion program fee shall be in addition to any court costs or judgment amount. The monies collected shall be deposited into a special fund to be known as the "drug treatment diversion program fund."

SECTION 2. "Division 2. MECA General Fund" of Article II of Chapter 135 is recodified as Division 2 of Article V of Chapter 135; and Section 135-221 renumbered as Section 135-521.

SECTION 3. Article II of Chapter 135 of the "Revised Code of the Consolidated City and County" concerning nonreverting county funds hereby is amended by the addition of a NEW Division 2 and a NEW Sec. 135-221, to read as follows:

DIVISION 2. SUPERIOR COURT FUNDS

Sec. 135-221. Drug treatment diversion program fund.

(a) There hereby is created a special fund, to be designated and known as the "Drug treatment diversion program fund," in the office of the Marion Superior Court. This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of each year. Such balances shall not lapse into the county general fund, or ever be directly or indirectly diverted in any manner to uses other than those stated in this section.

(b) All drug treatment diversion program fees assessed and collected by the Marion Superior Court in the administration of the drug treatment diversion program, shall be deposited in the fund created by this section.

(c) The fund shall be administered by the Marion Superior Court, and all funds deposited therein shall be appropriated and used solely for the operation of the drug treatment diversion program.

SECTION 4. 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 5. 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 provision or 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 6. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Proposal No. 685, 1998 was retitled FISCAL ORDINANCE NO. 157, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 157, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the County General Fund for purposes of the County Sheriff 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(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 to pay expenses for the balance of 1998.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) 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 SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	17,000
3. Other Services and Charges	<u>183,000</u>
TOTAL INCREASE	200,000

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>200,000</u>
TOTAL DECREASE	200,000

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

Proposal No. 687, 1998 was retitled FISCAL ORDINANCE NO. 158, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 158, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Forty-two Thousand Dollars (\$42,000) in the County General Fund for purposes of the Marion County Superior Court 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay juror expenses.

SECTION 2. The sum of Forty-two Thousand Dollars (\$42,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>42,000</u>
TOTAL INCREASE	42,000

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	22,000
4. Capital Outlay	<u>20,000</u>
TOTAL DECREASE	42,000

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 682, 1998. Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 682, 1998 on November 18, 1998. The proposal approves an increase of \$145,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (Alternative School Services Fund) to fund the operations of the New Directions Academy funded by charges to schools in Marion County. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Schneider, for adoption. Proposal No. 682, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 682, 1998 was retitled FISCAL ORDINANCE NO. 159, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 159, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Forty-five Thousand Dollars (\$145,000) in the Alternative School Services Fund for purposes of the Marion County Superior Court, Juvenile Division and County Auditor and reducing the unappropriated and unencumbered balance in the Alternative School Services 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,cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division and County Auditor to fund the operations of the New Directions Academy funded by charges to Schools in Marion County.

SECTION 2. The sum of One Hundred Forty-five Thousand Dollars (\$145,000) 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>ALTERNATIVE SCHOOL SERVICES FUND</u>
1. Personal Services - Fringes	15,000
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	60,000
2. Supplies	10,000
3. Other Services and Charges	50,000
4. Capital Outlay	<u>10,000</u>
TOTAL INCREASE	145,000

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

	<u>ALTERNATIVE SCHOOL SERVICES FUND</u>
Unappropriated and Unencumbered	
Alternative School Services Fund	<u>145,000</u>
TOTAL REDUCTION	145,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 644, 1998. Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 644, 1998 on November 11, 1998. The proposal extends the lease of the property at 147 East Maryland Street from April 30, 2000, to April 30, 2015, and includes an option to purchase. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Borst, for adoption. Proposal No. 644, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Franklin, Golc, Gray, Talley

Proposal No. 644, 1998 was retitled SPECIAL RESOLUTION NO. 52, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1998

A SPECIAL RESOLUTION determining the need to extend the lease of space at 147 E. Maryland Street in Indianapolis for the Marion County Community Corrections Agency.

BE IT ORDAINED 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 extension of the lease of space for the use of the Marion County Community Corrections Agency, from April 30, 2000, to April 30, 2015, is necessary.

SECTION 2. The property being leased is at 147 E. Maryland Street in Indianapolis, and is owned by Messrs. William E. Lyons and Gordon M. Graham.

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

PROPOSAL NO. 678, 1998. Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 678, 1998 on November 18, 1998. The proposal, sponsored by Councillors Dowden and Talley, establishes a juvenile court alternative school services fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Smith moved, seconded by Councillor Borst, for adoption. Proposal No. 678, 1998, as amended, was adopted on the following roll call vote; viz:

November 23, 1998

22 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford*

5 NAYS: *Black, Golc, Gray, Jones, Williams*

2 NOT VOTING: *Franklin, Talley*

Proposal No. 678, 1998, as amended, was retitled GENERAL ORDINANCE NO. 160, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 160, 1998

A PROPOSAL FOR A GENERAL ORDINANCE to amend Article II of Chapter 135 of the "Revised Code of the Consolidated City and County" by the addition of a new nonreverting fund to be known as the "Juvenile Court alternative school services fund."

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

SECTION 1. Article II of Chapter 135 of the "Revised Code of the Consolidated City and County" concerning nonreverting county funds hereby is amended by the addition of a NEW Sec. 135-222, to read as follows:

Sec. 135-222. Juvenile Court alternative school services fund.

(a) There hereby is created a special fund, to be designated and known as the "Juvenile Court alternative school services fund," in the office of the Marion Superior Court, Juvenile Division. This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of each year. Such balances shall not lapse into the county general fund, or ever be directly or indirectly diverted in any manner to uses other than those stated in this section.

(b) All fees and tuition charged and collected by the Marion Superior Court, Juvenile Division, in the administration of its alternative school, shall be deposited in the "Juvenile Court alternative school services fund."

(c) The fund shall be administered by the Marion Superior Court, Juvenile Division, and all funds deposited therein shall be appropriated and used solely for the operation of the alternative school.

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 provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 525, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 525, 1998 on November 23, 1998. The proposal approves the sale of a parcel of real estate having an appraisal value of \$50,000 or more. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 525, 1998 was 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, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford, Williams

0 NAYS:

2 NOT VOTING: Short, Talley

Proposal No. 525, 1998 was retitled GENERAL RESOLUTION NO. 19, 1998, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 19, 1998

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana approves the sale of a particular parcel of real estate.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-11-1, et seq.; and

WHEREAS, pursuant to IC 36-1-11-3 the City of Indianapolis may sell real estate having an appraised value of fifty thousand dollars (\$50,000.00) or more only after the City-County Council passes a resolution to the effect that the City-County Council approves said sale; and

WHEREAS, the City of Indianapolis wishes to sell a particular parcel of real estate located in Marion County, which is described in Exhibit "A", which is attached hereto and incorporated herein ("Real Estate"), which has an appraised value of fifty thousand dollars (\$50,000.00) or more; and

WHEREAS, the City-County Council, having considered the sale of the Real Estate and being duly advised, finds that the City-County Council approves said sale; now, therefore:

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

SECTION 1. The City-County Council hereby approves the sale of the Real Estate.

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

EXHIBIT A

Legal Description

Part of the Northeast Quarter and part of the Northwest Quarter of the Northwest Quarter of Section 23, Township 17, North, Range 4 East in Marion County, Indiana, described as follows:

Starting at the Southwest corner of said Northeast Quarter of the Northwest Quarter of Section 23-17-4, thence North 0 degrees 19 minutes West and along the West line of same 269.45 feet to the place of beginning; thence continuing on the same line 13.50 feet to the beginning point of a tract deeded to Merchants National Bank & Trust Company of Indianapolis, Trustee dated April 13, 1966 recorded April 15, 1966 as Instrument No. 66-18822; thence North 62 degrees 49 minutes West 181.92 feet, thence North 27 degrees 11 minutes East 464.96 feet, thence South 62 degrees 49 minutes East 281.90 feet, thence South 27 degrees 11 minutes West 427.99 feet, thence South 89 degrees 37 minutes West 105.75 feet to the place of beginning.

End of Description.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 647 and 648, 1998 on November 18, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 647, 1998. The proposal establishes loading zones in the Regional Center. PROPOSAL NO. 648, 1998. The proposal amends the Revised Code concerning civil penalties. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Cockrum asked if there will be a period of warning tickets until businesses are aware of the new loading zone rules. Ron Greiwe, Chief Engineer, Department of Capital Asset Management, stated that a grace period will be given.

Councillor Hinkle made the following motion:

Mr. President:

I move to amend Proposal No. 647, 1998, by

(1) designating the current Sec. 621-423 as subsection (a) and adding a new subsection (b) as follows:

(b) Any resolution adopted by the board of capital asset management and public works establishing a loading zone pursuant to subsection (a) shall be certified to the clerk of the city-county council within ten (10) days of adoption. All resolutions so certified, shall be placed on the agenda for the next regular council meeting that is held at least five (5) days after the certification. At such meeting, the city-county council may stay the effective date of any loading zone for a period of forty-five (45) days and refer it to the appropriate committee for a hearing. If no stay is adopted, the loading zone shall be deemed established upon adjournment of that council meeting. If a stay is adopted, the council may before the expiration of the stay either (i) adopt a resolution rejecting the establishment of such loading zone and nullifying the actions of the board of capital asset management and public works, or (ii) lift the stay and ratify the action of the board of capital asset management and public works. If the council ratifies the loading zone, it shall be deemed established on the date of said ratification. If the council fails to act during the period of the stay, the loading zone shall be deemed established upon the expiration of the stay.

(2) by changing the date in Sec. 621-432 (a) from January 1, 1999, to February 1, 1999.

Councillor Gilmer seconded the amendment and stated that without the amendment, the Capital Asset Management Board would have the ultimate authority. With the amendment, the Council will be given authority to call projects out for public hearings as in other zoning cases.

Councillor O'Dell stated that he still has concerns with the 45-day limit. Councillor Hinkle stated that it would be a rare exception in which that 45-day time limit could not be met. Councillor Borst stated that he does not understand why the Council wants to change the zoning and give up their normal purview anyway. Councillor Hinkle stated that this allows the process to move more efficiently without giving up ultimate authority to the Council.

Proposal No. 647, 1998 was amended by a voice vote.

Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption of Proposal No. 647, 1998, as amended, and Proposal No. 648, 1998. Proposal No. 647, 1998, as amended, and Proposal No. 648, 1998 were adopted on the following roll call vote; viz:

20 YEAS: Boyd, Bradford, Brents, Cockrum, Dowden, Franklin, Gilmer, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

6 NAYS: Black, Borst, Coonrod, Coughenour, Curry, Massie

3 NOT VOTING: Golc, Gray, Talley

Proposal No. 647, 1998, as amended, was retitled GENERAL ORDINANCE NO. 161, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 161, 1998

A GENERAL ORDINANCE amending Article IV of Chapter 621 of the Code of Indianapolis and Marion County.

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

SECTION 1. Article IV of Chapter 621 of the Code of Indianapolis and Marion County is hereby amended by adding a new division titled "Division 1 - In General" before Sec. 621-401 and by adding a new Division 2 to read as follows:

DIVISION 2. LOADING ZONES
WITHIN THE REGIONAL CENTER

Sec. 621-421. Applicability.

This division shall apply only to the Regional Center and shall supersede the provisions of Section 621-401 of this Article.

Sec. 621-422. Definitions.

- (a) *Eligible Vehicle* means any properly licensed motor vehicle.
- (b) *Hotel* means any structure intended or designed for transient occupancy and which offers more than 25 percent of its rooms for dwelling purposes for less than a 30 days period.
- (c) *Loading Zone* means any loading zone established under this division.
- (d) *Non-eligible vehicle* means any vehicle not defined as an eligible vehicle.
- (e) *Theater* means a building or structure or part thereof which is devoted primary to showing motion pictures to the public for a fee and/or is devoted primarily for the presentation of live dance, dramatic, musical or comedic performances.

Sec. 621-423. Establish of loading zones.

(a) The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management after a public hearing, may establish a loading zone. In determining the establishment of a loading zone the board of asset management and public works may consider, among others, the following matters: need, estimated volume of use, alternate sites, number of businesses or premises served, and support of neighboring owners or occupants.

(b) Any resolution adopted by the board of capital asset management and public works establishing a loading zone pursuant to subsection (a) shall be certified to the clerk of the city-county council within ten (10) days of adoption. All resolutions so certified, shall be placed on the agenda for the next regular council meeting that is held at least five (5) days after the certification. At such meeting, the city-county council may stay the effective date of any loading zone for a period of forty-five (45) days and refer it to the appropriate committee for a hearing. If no stay is adopted, the loading zone shall be deemed established upon adjournment of that council meeting. If a stay is adopted, the council may before the expiration of the stay either (i) adopt a resolution rejecting the establishment of

such loading zone and nullifying the actions of the board of capital asset management and public works, or (ii) lift the stay and ratify the action of the board of capital asset management and public works. If the council ratifies the loading zone, it shall be deemed established on the date of said ratification. If the council fails to act during the period of the stay, the loading zone shall be deemed established upon the expiration of the stay.

Sec. 621-424. Hours of operation.

(a) The hours of operation for each type of loading zone shall be as follows:

- (1) Vehicle loading zones shall operate between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.
- (2) Hotel loading zones shall operate twenty-four hours a day, Sunday through Saturday.
- (3) Theater loading zones shall operate twenty-four hours a day, Sunday through Saturday.

(b) The loading/unloading time interval for each loading zone shall be twenty (20) minutes.

(c) The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management after a public hearing, may revise the hours of operation for any loading zone.

Sec. 621-425. Dimensions of loading zones.

The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management after a public hearing, may determine the dimensions for loading zones.

Sec. 621-426. Type of loading zones.

- (a) Vehicle Loading Zone
- (b) Hotel Loading Zone
- (c) Theater Loading Zone

Sec. 621-427. Request for hotel loading zone.

The owner or operator of any hotel having frontage on any block within the Regional Center may apply to the department of capital asset management for a hotel loading zone on the block on which it has frontage.

Sec. 621-428. Request for theater loading zone.

The owner or operator of any theater having frontage on any block in the Regional Center may apply to the department of capital asset management for a theater loading zone on the block on which it has frontage.

Sec. 621-429. Request for vehicle loading zone

(a) Any owner or occupant of any premises having frontage on any block in the Regional Center may request that the board of asset management and public works establish a vehicle loading zone on the block on which it has frontage.

(b) The department of capital asset management may request that the board of asset management and public works establish a vehicle loading zone.

Sec. 621-430. Unlawful activities.

(a) It shall be unlawful for the driver or operator of any non-eligible vehicle to park, stop, or stand in any loading zone established under the division during the hours of operation.

(b) It shall be unlawful for the driver or operator of any eligible vehicle to park, stop or stand in any loading zone established under this division during the hours of operation unless it is related to the active and continuous activity of loading or unloading either passengers, freight or other materials and is within the posted time interval.

(c) It shall be unlawful for the driver or operator of any eligible vehicle to park, stop, or stand in any loading zone established under this division during the hours of operation for a period of time in excess of the posted time interval even if actively and continuously loading or unloading either passengers, freight, or other materials.

(d) It shall be unlawful for the driver or operator of any vehicle to operate or stop such vehicle in the Regional Center in such a manner as to block or obstruct any street or highway within the Regional Center or prevent the free use of any street or highway for the purpose of travel thereon by other vehicles, either willfully or when such driver or operator is able to avoid so doing by ordinary care.

(e) It shall be unlawful for the driver or operator of any vehicle, other than official public vehicles, to park such vehicle or to permit the vehicle to be parked at any time in or upon any alley within the Regional Center or in or upon any street in the Regional Center, the roadway of which is twenty-four (24) feet or less in width unless such parking is in a loading zone established under this division.

Sec. 621-431. Enforcement.

(a) It shall be the duty of the police department and the sheriff's department to enforce the provisions of this division and of any regulation enacted under this division.

(b) In enforcing the provisions of this division or any regulation enacted under this division, the above persons are authorized, without limitation, to impose fines, to ticket, and to tow vehicles.

Sec. 621-432. Existing loading zones.

(a) All existing loading zones previously established under Article IV of this Chapter within the Regional Center shall expire on February 1, 1999, unless the term is extended by the board of asset management and public works.

(b) In the event that an existing loading zone is not extended by the board of asset management and public works, the department of capital asset management shall provide all existing loading zone holders a pro rata refund of the currently paid annual permit fee.

(c) The board of asset management and public works may extend the term of an existing loading zone for a period of one year. The board of asset management and public works may so extend the term of an existing loading zone more than one time.

(d) In determining whether or not to extend the term, or extended term, of an existing loading zone, the board of asset management and public works may consider, among others, the following matters: volume of use by a specific business, lack of alternate sites, and payment for the existing loading zone is current

Sec. 621-433. Extended loading zones.

(a) All existing loading zones previously established under Article IV of this Chapter and extended under Section 621-432 of this division shall be subject to the provisions of this division.

(b) The annual fee for such an extended loading zone shall be two hundred dollars (\$200.00) per foot. The term extension of such a loading zone shall not be effective until such fee is paid in full.

(c) Extended loading zones shall operate twenty-four (24) hours a day, Sunday through Saturday.

(d) Only eligible vehicles associated with the business permitted to operate an extended loading zone may occupy an extended loading zone. All other vehicles shall be deemed non-eligible vehicles.

(e) The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management after a public hearing, may revise the hours of operation for any extended loading zone.

(f) The board of asset management and public works may impose reasonable terms and conditions related to the operation of an extended loading zone.

Sec. 621-434. Revocation of extended loading zones.

The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management may revoke a loading zone which term was extended in accordance with sec. 621-432. In determining whether or not to revoke such a loading zone, the board of asset management and public works may consider, among others, the following matters: request of business, traffic control needs of City, change in basis for granting an extended term, and failure to pay annual fee

Sec. 621-435. Termination of loading zones.

The board of asset management and public works, by resolution upon the recommendation of the department of capital asset management, may terminate a loading zone established under this division. In determining whether or not to terminate such a loading zone, the board of asset management and public works may consider, among others, the following matters: traffic control needs of City and change in basis for establishment of loading zone.

Sec. 621-436. Subject to other parking and traffic restrictions.

Notwithstanding any provision of this division or of any regulations enacted under this division, the hours of operation of all loading zones shall be subject to all parking and traffic restrictions of this Code.

Sec. 621-437. No vested rights

No one using a loading zone established under this division or a loading zone established under Article IV of this Chapter and extended under Section 621-432 of this division shall possess or acquire any vested rights in such loading zones.

Sec. 621-438. Regulations.

The board of asset management and public works is authorized to enact regulations in accordance with Section 272-106 of this Code to carry out the intent of this division. These regulations may include, without limitation, the following: procedures, applications, fees, waivers, revocation of loading zones, extension of loading zones, termination of loading zones, fines, and appeals.

Sec. 621-439. Additional powers of the board of asset management and public works.

The board of asset management and public works, by regulation, may amend the definitions for Eligible Vehicle and for Non-eligible Vehicle and may by resolution upon the recommendation of the department of capital asset management after a public hearing may amend the loading/unloading time interval for each loading zone.

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

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

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

Proposal No. 648, 1998 was retitled GENERAL ORDINANCE NO. 162, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 162, 1998

A GENERAL ORDINANCE amending Sec. 103-52 of the Revised Code of the Consolidated City and County, schedule of Code provisions and penalties.

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

SECTION 1. Sec. 103-52 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load - first offense in calendar year	50.00
391-302	Unlawful noise - first offense in calendar year	50.00
391-303	Noisy house - first offense in calendar year	50.00
407-103	Loitering - first offense in calendar year	50.00
431-108	Parking prohibited for street repairs and cleaning	12.50
431-314	Premises address violation - second offense in calendar year	25.00
431-603	Operation of bicycle without required equipment	12.50
431-604	Unlawful operation of bicycle	12.50
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	12.50
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	12.50
441-407	Display of unauthorized traffic controls	12.50
441-408	Interference with traffic control devices	12.50
441-503	Consumption or possession by operator of motor vehicle first offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages first offense in calendar year	50.00
511-702	Open burning	50.00
531-104	Animal at large - first offense in twelve month period	50.00
611-403	Unlawful loading or unloading of private bus	12.50
611-501	Unlawful stopping of food vendor vehicle	12.50
611-502	Violation of noise restriction on food vendors	12.50
611-504	Failure of food vending vehicle to display required warnings	12.50
611-506	Unlawful vending from other than curb side of vending vehicle	12.50
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	12.50
621-108	Unlawful manner of parking	12.50
621-109	No required lights on certain parked vehicles	12.50
621-110	Violation of handicapped parking restrictions	45.00
621-111	Unlawful parking in handicapped parking meter zone	45.00
621-112	Unloading perpendicular to curb without permit	12.50
621-113	Unlawful use of bus stops and taxicab stands	12.50
621-114	Unlawful use of passenger and loading zones	12.50
621-115	Unlawful parking adjacent to certain buildings	12.50
621-116	Unlawful parking for display for sale or advertising	12.50
621-117	Unlawful parking for more than six (6) hours	12.50
621-118	Unlawful parking of commercial vehicles at night	12.50

621-119	Unlawful parking in alleys or on certain narrow streets	12.50
621-120	Unlawful parking in designated special parking areas	12.50
621-121	Parking on certain streets where prohibited at all times	12.50
621-122	Stopping, standing or parking on streets where prohibited at all times	12.50
621-123	Parking on certain streets where prohibited at all times on certain days	12.50
621-124	Parking on certain streets when prohibited at certain times on certain days	12.50
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m.-9:00 a.m., 7:00 a.m.-9:00 a.m., 3:00 p.m.--6:00 p.m., 4:00 p.m.-6:00 p.m.	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	12.50
621-203	Parking in excess of time permitted in parking meter zone	12.50
621-210	Parking in meter zone when temporarily prohibited	12.50
621-216	Overtime parking in metered parking space	12.50
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	12.50
621-405	Unlawful parking in certain mailbox zones	12.50
621-430(a)	<u>Unlawful use of loading zone in Regional Center by non-eligible vehicle</u>	<u>25.00</u>
621-430(b)	<u>Unlawful use of loading zone in Regional Center - non-permitted use</u>	<u>25.00</u>
621-430(c)	<u>Unlawful use of loading zone in Regional Center in excess of posted time limits</u>	<u>25.00</u>
621-430(d)	<u>Unlawful obstructing traffic in the Regional Center</u>	<u>25.00</u>
621-430(e)	<u>Unlawful parking in alleys or on certain narrow streets in the Regional Center</u>	<u>25.00</u>
621-501	Unlawful stopping, standing or parking near fire hydrant	45.00
621-502	Unlawful obstruction of fire lane	25.00
631-102	In park after hours-first offense in calendar year	50.00
631-109	Alcohol in park-first offense in calendar year	50.00
645-528	Skateboard or similar play device - first offense in calendar year	50.00
811-401	Second false alarm in twelve-month period	25.00
811-401	Third false alarm in twelve-month period	35.00
811-401	Fourth false alarm in twelve-month period	50.00
841-1	Operation of unregistered bicycle	7.50
895-4	Unlawful stopping, standing or parking in horse-drawn carriage holding area	25.00
Appendix D,		
Part 26, sec. 6	Civil zoning violations-first offense in calendar year	50.00

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

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

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

PROPOSAL NO. 673, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 673, 1998 on November 23, 1998. The proposal, sponsored by Councillor Cockrum, approves a transfer of \$40,000 in the 1998 Budget of Voter's Registration (County General Fund) to purchase computers. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Cockrum, for adoption. Proposal No. 673, 1998 was adopted on the following roll call vote; viz:

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

1 NAY: Short

2 NOT VOTING: Golc, Talley

Proposal No. 673, 1998 was retitled FISCAL ORDINANCE NO. 160, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 160, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the County General Fund for purposes of Voter's Registration 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(f) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Voter's Registration to purchase computers.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) 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>VOTER'S REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>40,000</u>
TOTAL INCREASE	40,000

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

<u>VOTER'S REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>40,000</u>
TOTAL DECREASE	40,000

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

PROPOSAL NO. 675, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 675, 1998 on November 16, 1998. The proposal approves the 1999 Consolidated Annual Plan and the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Block Grant Funds. Councillor Hinkle stated that he had been asked by Councillor Schneider for some additional information on performance of the recipients of past grants and had not been able to produce it as yet. He therefore moved, seconded by Councillor Schneider, to postpone Proposal No. 675, 1998 until December 14, 1998, so that information could be researched. Proposal No. 675, 1998 was postponed by a unanimous voice vote.

PROPOSAL NO. 701, 1998. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 701, 1998 on November 19, 1998. The proposal approves and authorizes execution of an agreement between the City of Indianapolis and the City of Greenwood for the treatment and disposal of sewage and wastewater. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour

moved, seconded by Councillor Hinkle, for adoption. Proposal No. 701, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Golc, Talley

Proposal No. 701, 1998 was retitled GENERAL RESOLUTION NO. 20, 1998, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 20, 1998

A GENERAL RESOLUTION approving and authorizing execution of an agreement between the City of Indianapolis and the City of Greenwood for the treatment and disposal of sewage and wastewater.

WHEREAS, the Board of Asset Management and Public Works by Resolution No. 81, 1998 approved an agreement with the City of Greenwood providing for the City of Indianapolis to transport, treat and dispose of sewage and wastewater collected within the service area of the City of Greenwood and authorized the Director of the Department of Public Works to sign said agreement on behalf of the City of Indianapolis; and

WHEREAS, said agreement is in the best interests of the City, now therefore:

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

SECTION 1. The Sewage and Wastewater Treatment and Disposal Services Agreement between the City of Indianapolis and the City of Greenwood, as approved by the Board of Asset Management and Public Works by Resolution No. 81, 1998 on _____, 1998, is hereby approved and ratified, and the Clerk is directed to attach a copy of such Board Resolution and Agreement to the official copy of this Resolution, and insert a copy of the permanent minutes of the Council.

SECTION 2. The Director of the Department of Public Works is hereby authorized to execute said Agreement on behalf of the City of Indianapolis.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 532 and 691-697, 1998 on November 18, 1998.

PROPOSAL NO. 532, 1998. The proposal, sponsored by Councillor Williams, authorizes the deletion of parking meter zones and adding parking restrictions to various Downtown locations (Districts 16, 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 532, 1998, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Borst, Gilmer, Golc, Talley

Proposal No. 532, 1998, as amended, was retitled GENERAL ORDINANCE NO. 163, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 163, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated two hours.

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," specifically, Sec. 621-202, Parking meter zones designated two hours, be and the same is hereby amended by the deletion of the following, to wit:

TWO HOURS

Twentieth Street, on the south side,
from Capital Avenue to Illinois Street

Henry Street, on the north side,
from Illinois Street to Meridian Street

Thirteenth Street, on the south side,
from Illinois Street to Meridian Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-204, All day off-street parking meter zones, be, and the same is hereby amended by the deletion of the following, to wit:

ONE-HOUR

Pearl Street, on the south side,
from New Jersey Street to East Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, 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:

Thirteenth Street, on the south side,
from Senate Avenue to Meridian Street

Twentieth Street, on the north side,
from Capitol Avenue to Illinois Street

Henry Street, on the north side,
from Illinois Street to Meridian Street

Pearl Street, on the south side,
from New Jersey Street to East Street

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

PROPOSAL NO. 691, 1998. The proposal, sponsored by Councillor Dowden, authorizes a traffic signal at 71st Street and Johnson Road (District 4). 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 Dowden, for adoption. Proposal No. 691, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 691, 1998 was retitled GENERAL ORDINANCE NO. 164, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 164, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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	71 st St Johnson Rd	None	All Way Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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	71 st St Johnson 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. 692, 1998. The proposal, sponsored by Councillor Bradford, authorizes a multi-way stop at 61st Street and Ralston Avenue (District 7). 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 Bradford, for adoption. Proposal No. 692, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 692, 1998 was retitled GENERAL ORDINANCE NO. 165, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 165, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Ralston Av 61 st St	Ralston Av	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Ralston Av 61 st 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. 693, 1998. The proposal, sponsored by Councillor Borst, authorizes a change in the speed limit on Banta Road from Tibbs Avenue to East Street (U.S. 31) (Districts 20, 25). 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 Borst, for adoption. Proposal No. 693, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 693, 1998 was retitled GENERAL ORDINANCE NO. 166, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 166, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-323, Alteration of prima facie speed limits.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

Banta Road, from Tibbs Avenue to Bluff Road, 40 mph

Banta Road, from Bluff Road to U.S. 31 (East Street), 35 mph

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

PROPOSAL NO. 694, 1998. The proposal, sponsored by Councillor Borst, authorizes a weight limit restriction on Banta Road from Bluff Road to East Street (District 25). 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 Borst, for adoption. Proposal No. 694, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 694, 1998 was retitled GENERAL ORDINANCE NO. 167, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Banta Road, from Bluff Road to East Street

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

PROPOSAL NO. 695, 1998. The proposal, sponsored by Councillor Williams, authorizes a change in parking restrictions for North Street between New Jersey Street and East Street (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 695, 1998, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 695, 1998, as amended, was retitled GENERAL ORDINANCE NO. 168, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 168, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated, and Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations.

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," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

TWO HOURS

North Street, on both sides,
from Alabama Street to East Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

North Street, on the north side,
from Alabama Street to East Street

North Street, on the south side,
from Alabama Street to New Jersey Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations, be and the same is hereby amended by the addition of the following, to wit:

(11) Any vehicles, so marked, of the city fire department, and no others may park at any time in the following location:

MONDAY - FRIDAY
from 8:00 a.m. to 5:00 p.m.

North Street, on the south side, from New Jersey Street to East Street

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

PROPOSAL NO. 696, 1998. The proposal, sponsored by Councillor Black, authorizes parking restrictions on Salem Street near 35th Street (District 6). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 696, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

6 NOT VOTING: *Bradford, Gilmer, Golc, SerVaas, Talley, Williams*

Proposal No. 696, 1998 was retitled GENERAL ORDINANCE NO. 169, 1998, and reads as follows:

November 23, 1998

CITY-COUNTY GENERAL ORDINANCE NO. 169, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Salem Street, on the west side, from a point 130' south
of Thirty-fifth Street, to a point 459' south of Thirty-fifth Street

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

PROPOSAL NO. 697, 1998. The proposal, sponsored by Councillor Short, authorizes parking restrictions on Keystone Avenue near Southeastern Avenue (District 21). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal No. 697, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: Cockrum, Golc, Gray, SerVaas, Talley

Proposal No. 697, 1998 was retitled GENERAL ORDINANCE NO. 170, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 170, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-124, Parking prohibited during specified hours on certain days.

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," specifically, Sec. 621-121, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS
From 6:00 a.m. to 5:00 p.m.

Keystone Avenue, on both sides, from a point 140 feet north
of Southeastern Avenue to a point 690 feet north of Southeastern Avenue

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

NEW BUSINESS

General Counsel Robert Elrod made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 98-Z-217, Council Proposal No. 734, 1998, at its next regular meeting on December 14, 1998, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 12.36 acres at 4502 West 56th Street from C-S district to D-5II classification to provide for a single-family residential development.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Moores referred to a letter received by all Council members from Ms. Beverly Hopkins, and stated that she agrees that drug testing should be considered for elected officials and City and County employees. She asked Mr. Elrod to research this possibility and report back to the Council.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillors O'Dell, Tilford, Moores, and McClamroch in memory of Richard Miller; and
- (2) Councillor Moriarty Adams in memory of Vena Craycraft and Anthony and Jennifer Fulner ; and
- (3) Councillor O'Dell in memory of Robert Turner.

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 Richard Miller, Vena Craycraft, Anthony and Jennifer Fulner, and Robert Turner. 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 9:15 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 23rd day of November, 1998.

November 23, 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)