

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

**REGULAR MEETINGS
MONDAY, JANUARY 25, 1999**

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 7:12 p.m. on Monday, January 25, 1999, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer recognized Boy Scout Troop 514, with 30 scouts ages 11 through 14 present along with their scoutmasters. He stated that his son-in-law is one of the scoutmasters and his grandson is a member of the troop. He added that the troop members are in attendance to earn their government badge. President SerVaas stated that scout badges are windows into the adult world, and he encouraged troop members to use these opportunities to look at possibilities for future careers. Councillor Gray recognized Steve Quick, a member of the United Northwest Association (UNWA), and a City employee who helped in the snow removal efforts.

OFFICIAL COMMUNICATIONS

Councillor Cockrum reported that the next Scarborough Peace Games will be held Friday through Monday, July 23-26, 1999, in Toronto, Canada. The next planning meeting is scheduled for February 1, 1999, and the event will expand to 15 games this year. Individuals or participants wishing to be involved in the games should call 327-7275, and groups wishing to register as a team should call 327-7056. The goal for maximum participant capacity this year is 751 competitors, with 94 additional coaches and other positions, for a total goal of 845 participants. President SerVaas thanked Councillor Cockrum for his willingness to serve in this capacity and thanked Councillors Williams, Coughenour, Boyd, and Hinkle for visiting Toronto with him. He also thanked Councillor O'Dell for his work with these events in previous years.

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 25, 1999, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

January 5, 1999

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, January 6, 1999, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, January 7, 1999, a copy of a Notice of Public Hearing on Proposal Nos. 7-10, 1999, said hearing to be held on Monday, January 25, 1999, at 7:00 p.m. in the City-County Building.

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

January 8, 1999

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. 1, 1999 - amends the Revised Code relating to the citizens police complaint board

GENERAL ORDINANCE NO. 2, 1999 - authorizes a traffic signal for 21st Street and Warren Central High School Access Drive (9700 East) (District 12)

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GENERAL ORDINANCE NO. 3, 1999 - authorizes a traffic signal for Harding Street and Pilot Access Drive (4600 South) (District 25)

GENERAL ORDINANCE NO. 4, 1999 - authorizes a traffic signal for Girls School Road and Ben Davis High School Middle Drive and Rolling Hills Drive (District 18)

GENERAL ORDINANCE NO. 5, 1999 - authorizes a traffic signal for Allisonville Road and Circuit City Drive (8350 North) (District 3)

SPECIAL RESOLUTION NO. 1, 1999 - recognizes students April Sparks and Briana Underwood for their participation in the National League of Cities' Congress of Cities

SPECIAL RESOLUTION NO. 2, 1999 - recognizes the public service of John R. von Arx

SPECIAL RESOLUTION NO. 3, 1999 - proclaiming the week of January 9 through January 18, 1999, as *We Stand Together Week*

SPECIAL RESOLUTION NO. 4, 1999 - approves the 1999 Consolidated Annual Plan and the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of January 4, 1999. There being no additions or corrections, the minutes were approved as distributed.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Gray made the following motion:

Mr. President:

I am pleased to report that the parties involved in the rezoning at 4502 West 56th Street have reached a compromise and pursuant to the rules, I now move for the vote on Proposal No. 734, 1998 (Rezoning Petition No. 98-Z-217), as modified by the additional commitments, without further public hearing.

PROPOSAL NO. 734, 1998. The proposal, sponsored by Councillor Hinkle, proposes to rezone 12.36 acres at 4502 West 56th Street, being in the C-S District to the D-5II classification to provide for a single-family residential development (98-Z-217). Councillor Gilmer called the proposal out for public hearing on November 23, 1998, and it was postponed in Council on December 14, 1998. Councillor Gray reported that the proposed development is actually within his district and he has had several meetings with the petitioner and remonstrators, and the Pike Township Residents' Association (PTRA) has received additional commitments from the petitioner and has therefore withdrawn their remonstrance. Stephen Mears, attorney for the petitioner, thanked Councillor Gray, the PTRA, and the Pike Township School Board for their efforts in reaching a compromise. By consent the motion was adopted.

Councillor McClamroch stated that he will abstain from voting on Proposal No. 734, 1998.

Councillor Gilmer seconded the motion for adoption, and Proposal No. 734, 1998 was adopted by the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Boyd, Coonrod, McClamroch

1 ABSENT: Massie

Proposal No. 734, 1998 was retitled REZONING ORDINANCE NO. 8, 1999, and is identified as follows:

REZONING ORDINANCE NO. 8, 1999.

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.

Councillor Gray added that he would like to see more attention given to the capacity of the school systems to support new developments. He said that his district is experiencing extensive growth which is overcrowding housing and the schools. Councillor Gilmer added that this is a problem in his district, as well, and more consideration needs to be given to the effect on schools before approving zoning variations.

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

PROPOSAL NO. 75, 1999. The proposal, sponsored by Councillor Gilmer, recognizes the Indianapolis-Marion County Building Authority. Councillor Gilmer read the proposal and presented representatives with copies of the document and Council pins. Ronald Reinking, General Manager of the Indianapolis-Marion County Building Authority, thanked the Council for the recognition and introduced Building Authority Directors Donald Altemeyer, Abigail Hohmann, and Charles Hertel. He stated that Directors William Fox and Stephen Hokanson were not able to attend. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 75, 1999 was adopted by a unanimous voice vote.

Proposal No. 75, 1999 was retitled SPECIAL RESOLUTION NO. 5, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1999

A SPECIAL RESOLUTION recognizing the Indianapolis-Marion County Building Authority.

WHEREAS, The Indianapolis-Marion County Building Authority was created in 1953 as an independent agency to finance and construct a new combined city and county government building, which was begun in 1959 and completed in 1962; and

WHEREAS, it did its job well, paying off the City-County Building bonds 14 years early, and subsequently being given the task of managing 21 local government buildings; and

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WHEREAS, Ronald L. Reinking, P.E., a native Hoosier and Purdue graduate, has been the Authority's General Manager since 1979, and along with his Board of Directors and Building Authority employees, the agency is fulfilling the high goals of its creation; and

WHEREAS, city and county departments have asked for Building Authority to finance, construct and renovate their buildings and then manage the properties, their newest budget for City-County Building utilities is less than it was 20 years ago, their current City-County Building operating budget is less than comparable services of 15 years ago, and their new initiative of painting the City-County Building's underground parking garage a bright color dramatically improved the lighting level and safety without having to add more lights; 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 Indianapolis-Marion County Building Authority for its nearly 50 years of outstanding service to the people of this city and county.

SECTION 2. The Council especially commends Building Authority Directors William F. Fox of NBD Bank, N.A., Donald B. Altemeyer of BSA Design, Abigail W. Hohmann of F.C. Tucker Co., Stephen P. Hokanson of Hokanson Companies, and Charles L. (Chuck) Hertel of State Farm Insurance Company, General Manager Ronald L. Reinking, P.E., and each Building Authority employee for a good job, well done.

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

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

Councillor McClamroch asked for consent to vote on Proposal Nos. 13-17, 19, 23, and 26-29, 1999 together. All proposals, sponsored by Councillor McClamroch, are board and commission appointments and passed out of Committee with unanimous votes. Consent was given.

PROPOSAL NO. 13, 1999. The proposal reappoints Robert Spear to the Alcoholic Beverage Board of Marion County. PROPOSAL NO. 14, 1999. The proposal reappoints C. Eugene Hendricks to the Metropolitan Development Commission. PROPOSAL NO. 15, 1999. The proposal reappoints Randolph L. Snyder to the Metropolitan Development Commission. PROPOSAL NO. 16, 1999. The proposal reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 17, 1999. The proposal reappoints Joanna Walker to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 19, 1999. The proposal reappoints Ray Wallace to the Metropolitan Board of Zoning Appeals Division II. PROPOSAL NO. 23, 1999. The proposal reappoints Scott Fitzgerald to the Board of Parks and Recreation. PROPOSAL NO. 26, 1999. The proposal reappoints Carlton Curry to the Cable Franchise Board. PROPOSAL NO. 27, 1999. The proposal reappoints Charles Hiltunen to the Cable Franchise Board. PROPOSAL NO. 28, 1999. The proposal reappoints James W. Scott to the Indianapolis Economic Development Commission. PROPOSAL NO. 29, 1999. The proposal reappoints Paul Jones to the Urban Enterprise Association. Councillor McClamroch moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 13-17, 19, 23, and 26-29, 1999 were adopted by a unanimous voice vote.

Proposal No. 13, 1999 was retitled COUNCIL RESOLUTION NO. 3, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1999

A COUNCIL RESOLUTION reappoints Robert Spear to the Alcoholic Beverage Board of Marion County.

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

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council appoints:

Robert Spear

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 14, 1999 was retitled COUNCIL RESOLUTION NO. 4, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1999

A COUNCIL RESOLUTION reappointing C. Eugene Hendricks to the Metropolitan Development Commission.

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

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

C. Eugene Hendricks

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 15, 1999 was retitled COUNCIL RESOLUTION NO. 5, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1999

A COUNCIL RESOLUTION reappointing Randolph L. Snyder to the Metropolitan Development Commission.

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

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Randolph L. Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 16, 1999 was retitled COUNCIL RESOLUTION NO. 6, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1999

A COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I.

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

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SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Alan Retherford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 17, 1999 was retitled COUNCIL RESOLUTION NO. 7, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1999

A COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I.

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

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Joanna Walker

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 19, 1999 was retitled COUNCIL RESOLUTION NO. 8, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1999

A COUNCIL RESOLUTION reappointing Ray Wallace to the Metropolitan Board of Zoning Appeals Division II.

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

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division II, the Council appoints:

Ray Wallace

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 23, 1999 was retitled COUNCIL RESOLUTION NO. 9, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1999

A COUNCIL RESOLUTION reappointing Scott Fitzgerald to the Board of Parks and Recreation.

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

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

Scott Fitzgerald

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 26, 1999 was retitled COUNCIL RESOLUTION NO. 10, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1999

A COUNCIL RESOLUTION reappointing Carlton Curry to the Cable Franchise Board.

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

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Carlton Curry

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

Proposal No. 27, 1999 was retitled COUNCIL RESOLUTION NO. 11, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1999

A COUNCIL RESOLUTION reappointing Charles Hiltunen to the Cable Franchise Board.

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

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Charles Hiltunen

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

Proposal No. 28, 1999 was retitled COUNCIL RESOLUTION NO. 12, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1999

A COUNCIL RESOLUTION reappointing James W. Scott to the Indianapolis Economic Development Commission.

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

SECTION 1. As a member of the Indianapolis Economic Development Commission, the Council appoints:

James W. Scott

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

Proposal No. 29, 1999 was retitled COUNCIL RESOLUTION NO. 13, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1999

A COUNCIL RESOLUTION reappointing Paul Jones to the Urban Enterprise Association.

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

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Paul Jones

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2001. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 42, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$55,000 in the 1999 Budget of the Information Services Agency (Information Services Internal Service Fund) to fund a full-time position for a Lead Telecommunications Analyst which has been a contractual position"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 43, 1999. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$23,000 in the 1999 Budget of the Cable Communications Agency (Consolidated County General Fund) to hire temporary freelance engineers to perform maintenance and other technical duties for Channel 16"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 44, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code regarding registration and operation of horse-drawn carriages"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 45, 1999. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$30,000 in the 1999 Budgets of the Cooperative Extension Service and the County Auditor (County Grants Fund) to provide funds for High Hopes, an after-school tutoring program, funded by a grant from the Marion County 4-H Clubs"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 46, 1999. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$11,000 in the 1999 Budgets of the Cooperative Extension Service and the County Auditor (County General Fund) to fund the transfer of a contractual 4-H program assistant to a part-time employee"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 47, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 1999 Budget of the Department of Parks and Recreation (Park General Fund) for the local match of a federal grant to be used on the West Street Beautification Project financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 48, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$32,075 in the 1999 Budget of the Department of Parks and Recreation (Park General Fund) for a wetland environmental education project at Southeastway Park and to increase cultural arts opportunities to the community funded by IPALCO, Clowes, and Snow Plow grants, and by a private donation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 49, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,200,000 in the 1999 Budgets of the County Sheriff and County Auditor (County General Fund) to hire 12 merit deputies for road patrol from 30th Street to 42nd Street and from Franklin Road east to the Sheriff's District and to incur additional dispatch costs funded by a transfer of funds from the Indianapolis Police Department's Budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 50, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$36,000 in the 1999 Budget of the County Sheriff (County General Fund) to pay the contractual agreement for supervision of security at the City-County Building funded by a reimbursement from the City of Indianapolis"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 51, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$500,000 in the 1999 Budget of the County Prosecutor (Deferral Program Fee Fund) as pass-through dollars to pay law enforcement agencies their portion of deferral fees on a quarterly basis funded by deferral fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 52, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$437,265 in the 1999 Budget of the County Auditor and Prosecuting Attorney (Deferral Program Fee Fund) to pay for four new prosecutors, one investigator, sufficient funds for employee benefit leave buyouts, and a summer intern program funded by deferral fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 53, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$15,833 in the 1999 Budget of the County Prosecutor (Deferral Program Fee Fund) to reappropriate unused 1998 funds from the Traffic Safety Partnership allocation to purchase portable breath test machines and radar guns funded by deferral fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 54, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$148,168 in the 1999

Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase a new Crime Analysis Program and additional data processing equipment and to train IPD employees in order to reduce auto theft in the Downtown areas financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 55, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$112,155 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase a new Mugshot System financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 56, 1999. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$518,998 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to combat domestic violence financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 57, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$41,807 in the 1999 Budgets of Community Corrections and the County Auditor (State and Federal Grants Fund) to fund the Male Day Reporting Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 58, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$45,456 in the 1999 Budget of Community Corrections (State and Federal Grants Fund) to fund the prevention grant for the Community Action of Greater Indianapolis financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 59, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$44,893 in the 1999 Budget of Community Corrections (State and Federal Grants Fund) to fund the prevention grant for the John H. Boner Community Center funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 60, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$14,199 in the 1999 Budget of Community Corrections (State and Federal Grants Fund) to fund a prevention grant for the Treatment-Based Drug Court financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 61, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Eagle Creek Village (Districts 16, 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 62, 1999. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Bridge

Court/Hartford Avenue, Danbury Drive/Winsted Drive, and Hartford Avenue/Winsted Drive (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 63, 1999. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Denny Street and Walnut Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 64, 1999. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Serpent Circle and Woods Bay Lane (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 65, 1999. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions for Wyandotte Trail (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 66, 1999. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions for Parker Avenue on the east side near 56th Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 67, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions for Orchard Village Drive near Stop 11 Road (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 68, 1999. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Tibbs Avenue from Morris Street to I-70 (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 69, 1999. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Colorado Avenue near Michigan Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 70, 1999. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Troy Avenue between Madison Avenue and Shelby Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 71, 1999. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction on Stop 10 Road between Madison Avenue to Shelby Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 72, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a 25 mph speed limit on Sunningdale Boulevard from Country Club Road to Tansel Road (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 73, 1999. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a 20 mph speed limit restriction in Warren Woods and Hunters Crossing Subdivisions (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 74, 1999. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code concerning parking in front of mailboxes"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 76, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Wayne Reynolds to the Speedway Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 77, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Cynthia L. Urban to the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 91, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Steve Ajamie to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 92, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Mary Gillum to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

Councillor Dowden made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal Nos. 49 and 50, 1999, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on February 8, 1999.

Councillor Smith seconded the motion, and the motion was adopted by a unanimous voice vote.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 79-84, 1999, PROPOSAL NOS. 85-87, 1999, PROPOSAL NO. 88, 1999, PROPOSAL NO. 89, 1999, and PROPOSAL NO. 90, 1999. Introduced by Councillor Hinkle. Proposal Nos. 79-84, 1999, Proposal Nos. 85-87, 1999, Proposal No. 88, 1999, Proposal No. 89,

1999, and Proposal No. 90, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 22, 1999. 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. 9-20, 1999, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 9, 1999.

98-Z-251

2331, 2339, & 2353 COLUMBIA AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1.9 acres, being in the D-5 District, to the SU-2 classification to legally establish existing school uses.

REZONING ORDINANCE NO. 10, 1999.

98-Z-252

321 NORTH LINWOOD AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1.6 acres, being in the D-5 District, to the SU-2 classification to legally establish current use as a school.

REZONING ORDINANCE NO. 11, 1999.

98-Z-253

418 SOUTH TEMPLE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT requests a rezoning of 0.65 acre, being in the D-5 District, to the SU-1 classification to legally establish existing religious uses.

REZONING ORDINANCE NO. 12, 1999.

98-Z-257 (98-DP-33)

4505 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

M/I SCHOTTENSTEIN HOMES, INC., by Thomas M. Quinn, requests a rezoning of 29.919 acres, being in the D-A District, to the D-P classification to provide for single-family residential development.

REZONING ORDINANCE NO. 13, 1999.

98-Z-259

3201-3205 NORTH EUCLID AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.33 acres, being in the D-5 District, to the SU-1 classification to legally establish existing religious uses.

REZONING ORDINANCE NO. 14, 1999.

98-Z-261 (98-DP-34)

8454 FIVE POINTS ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

BAY DEVELOPMENT CORPORATION, by DAVID A. RETHERFORD, requests a rezoning of 19.00 acres, being in the D-A District, to the D-P classification to provide residential development to be included in a previously approved Planned Unit Development.

REZONING ORDINANCE NO. 15, 1999.

98-Z-227 (Amended)

2231-2235 EAST 38th STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11

WM. LOUIS RATLIFF requests a rezoning of 0.28 acre, being in the D-5 District, to the C-3 classification to provide for commercial use and associated off-street parking.

REZONING ORDINANCE NO. 16, 1999.

98-CP-33Z (Amended)

6702 and 6802 KENTUCKY AVENUE, 5101 and 5212 STANLEY ROAD, 8402 WEST THOMPSON ROAD, 8133-8241 MILHOUSE ROAD, 6035-6103 FLYNN ROAD (approximate addresses), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

MIDWEST LOGISTICS PARTNERS, LP, by Joseph M. Scimia, requests a rezoning of 152.8 acres, being in the C-S, D-A, and D-4 Districts, to the C-S classification to provide for a mixed use advanced technology and commerce park.

REZONING ORDINANCE NO. 17, 1999.

98-CP-41Z (98-DP-32)

9430 EAST 82nd STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

SCM DEVELOPMENT INC., by Thomas M. Quinn requests a rezoning 15.554 acres from the D-1 classification to the D-P classification to provide for single-family residential development.

REZONING ORDINANCE NO. 18, 1999.

98-Z-214

1505-1507 MONTCALM STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

MOUNT OLIVE BAPTIST CHURCH requests a rezoning of 0.13 acre, being in the D-5 District, to the SU-1 classification to permit the continued use and expansion of religious uses.

REZONING ORDINANCE NO. 19, 1999.

98-Z-225

4958 HARDING LANE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

I-80 INVESTMENTS COMPANY, by Brian J. Tuohy, requests a rezoning of 2.5 acres, being in the C-4 District, to the C-7 classification to provide for a full-service truck wash facility.

REZONING ORDINANCE NO. 20, 1999.

98-Z-221

4175 NORTH POST ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 14

VANDIVIER MANAGEMENT, INC., by Philip A. Nicely, requests a rezoning of 1.05 acre, being in the D-7 District, to the C-3 classification to provide for neighborhood commercial uses.

PROPOSAL NO. 41, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 41, 1999 on January 14, 1999. The proposal amends Special Resolution No. 44, 1998, by authorizing the amendment of the amount previously authorized to \$9,950,000 and approving an increase in the size of the project from 96 units to 264 units for Bridgeport Commons Apartments Homes Project located at 2005 South Bridgeport Road and West Washington Street (District 19). 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 Cockrum, for adoption. Proposal No. 41, 1999 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Golc, Gray, Hinkle, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford

0 NAYS:

6 NOT VOTING: Franklin, Gilmer, Jones, Moores, Moriarty Adams, Williams

1 ABSENT: Massie

Proposal No. 41, 1999 was retitled SPECIAL RESOLUTION NO. 6, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1999

A SPECIAL RESOLUTION amending Special Resolution 44, 1998 by authorizing the amendment of the amount previously-authorized to \$9,950,000 and to approve an increase in the size of the project from 96 units to 264 units for Bridgeport Commons Apartments Homes Project located at 2005 South Bridgeport Road and West Washington Street.

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

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

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

WHEREAS, on October 23, 1998, the City of Indianapolis (the "Issuer") authorized Washington Crossing Apartments, L.P. (the "Company") in Special Resolution 44, 1998 to proceed with the development and construction of a 96-unit apartment complex located at 2005 South Bridgeport Road (Bridgeport Road and West Washington Street) in an amount not to exceed \$4,200,000 (the "Project");

WHEREAS, the Company has requested that the Issuer increase the amount previously-authorized to \$9,950,000 and to approve an increase in the size of the project from 96 units to 264 units; and

WHEREAS, the Indianapolis Economic Development Commission adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the increase from the amount of \$4,200,000 to \$9,950,000 and the increase in the size of the project from 96 units to 264 units all complies with the purposes and provisions of the Act and that such amendments to the financing will be of benefit to the health and welfare of the Issuer and its citizens; now, therefore:

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

SECTION 1. It is hereby found that the amendment of Special Resolution No. 44, 1998 to increase the amount of bond proceeds from \$4,200,000 to \$9,950,000 and the increase in the size of the project from 96 units to 264 units for Bridgeport Commons Apartments Homes Project 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. In order to induce the Applicant to proceed with the development and construction 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 April 30, 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 3. 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.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 7, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 7, 1999 on January 6, 1999. The proposal approves an increase of \$354,928 in the 1999 Budget of the Marion Superior Court, Juvenile Division (Juvenile Court Alternative School Services Fund) to fund the operation of the alternative school for the first six months of 1999. Councillor Dowden moved, seconded by Councillor Smith, to postpone Proposal No. 7, 1999 until February 8, 1999. Proposal No. 7, 1999 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 8-10, 1999 on January 6, 1999. He asked for consent to vote on Proposal Nos. 8 and 9, 1999 together. Consent was given.

PROPOSAL NO. 8, 1999. The proposal approves an increase of \$40,625 in the 1999 Budget of the Marion Superior Court (Supplemental Adult Probation Fees Fund) to fund the employment of a training officer in the Adult Probation Division. PROPOSAL NO. 9, 1999. The proposal approves an increase of \$78,000 in the 1999 budget of the Marion Superior Court (Alcohol and Drug Services Fund) to appropriate annual funding for payment of the cost of court ordered probation referrals to the Mothers Against Drunk Driving - Victim Impact Panel. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 8 and 9, 1999 were adopted on the following roll call vote; viz:

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

Proposal No. 8, 1999 was retitled FISCAL ORDINANCE NO. 1, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Forty Thousand Six Hundred Twenty-five Dollars (\$40,625) in the Supplemental Adult Probation Fees Fund for purposes of the Marion Superior Court and County Auditor and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees 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 1999 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court and County Auditor to fund the employment of a training officer in the Adult Probation Division.

SECTION 2. The sum of Forty Thousand Six Hundred Twenty-five Dollars (\$40,625) 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>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
I. Personal Services - fringes	8,125
MARION SUPERIOR COURT	
I. Personal Services	<u>32,500</u>
TOTAL INCREASE	40,625

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

	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
Unappropriated and Unencumbered	
Supplemental Adult Probation Fees Fund	<u>40,625</u>
TOTAL REDUCTION	40,625

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

Proposal No. 9, 1999 was retitled FISCAL ORDINANCE NO. 2, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Seventy-eight Thousand Dollars (\$78,000) in the Alcohol and Drug Services Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the Alcohol and Drug 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(cc) of the City-County Annual Budget for 1999 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to appropriate annual funding for payment of the cost of court ordered probation referrals to the Mothers Against Drunk Driving - Victim Impact Panel.

SECTION 2. The sum of Seventy-eight Thousand Dollars (\$78,000) 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 SUPERIOR COURT</u>	<u>ALCOHOL AND DRUG SERVICES FUND</u>
3. Other Services and Charges	78,000
TOTAL INCREASE	78,000

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

	<u>ALCOHOL AND DRUG SERVICES FUND</u>
Unappropriated and Unencumbered	
Alcohol and Drug Services Fund	78,000
TOTAL REDUCTION	78,000

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

PROPOSAL NO. 10, 1999. The proposal approves an increase of \$434,455 in the 1999 Budget of the Marion County Justice Agency (Drug Free Community Fund) to provide treatment, prevention, and justice programs which promote comprehensive local alcohol and drug abuse prevention initiatives. Councillor Dowden moved, seconded by Councillor Smith, to postpone Proposal No. 10, 1999 until February 8, 1999. Proposal No. 10, 1999 was postponed by a unanimous voice vote.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 719, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 719, 1998 on December 2, 1998, and it was tabled in Council on December 14, 1998. The proposal 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. Councillor Dowden stated that General Counsel Robert Elrod has informed him that for this proposal to remain on the agenda, an action must be taken at this meeting. He said that he does not wish to act on the proposal and moved for it to remain tabled and be removed from the agenda. Councillor Smith seconded the motion, and Proposal No. 719, 1998 was tabled and subsequently removed from the agenda by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 742, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 742, 1998 on January 19, 1999. The proposal, sponsored by Councillor Massie, allows automatic deposit of State of Indiana distributions to city and county entities by electronic funds transfer. By a 6-0 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. 742, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 742, 1998 was retitled SPECIAL RESOLUTION NO. 7, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1999

A SPECIAL RESOLUTION approving the automatic deposit of State of Indiana distributions to Marion County and City of Indianapolis entities by the electronic transfer of funds .

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

SECTION 1. The following types of distributions from the State of Indiana to the Marion County Treasurer, the City of Indianapolis Controller, and all other Marion County and City of Indianapolis agencies, departments and entities by means of electronic funds transfers are hereby approved in accordance with Indiana Code Section 4-8.1-2-7(c):

TYPE OF DISTRIBUTION:

Motor Vehicle Highway
Local Road and Street
Local Road and Street PL260-1997
Motor Vehicle Highway Accelerated #1
Motor Vehicle Highway Accelerated #2
County Engineer
Covered Bridge
Property Tax Replacement Credit
Homestead Credit
Boat Excise
Excise Tax Cut Replacement
Surplus Dog Fund
Education Plate Fees
County Option Income Tax
Any and all other types of distributions

SECTION 2. This resolution is adopted in satisfaction of the requirements of Indiana Code Section 4-8.1-2-7(c).

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

PROPOSAL NO. 743, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 743, 1998 on January 19, 1999. The proposal, sponsored by Councillor Tilford, authorizes the City of Indianapolis by and through its Department of Administration to transfer one 1995 Chevrolet Cargo Van C30 to the Faith Teaching Church of Deliverance to further the objectives and activities of the Front Porch Alliance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Tilford stated that this is a very worthy cause, and Reverend Shadrick Madison of the Faith Teaching Church will put the vehicle to good use. He asked for the Council's support. He thanked Charles Snyder, Department of Capital Asset Management (DCAM), for identifying a vehicle and Steve Quick, Department of Public Works (DPW), and Marlo Davis, Department of Metropolitan Development (DMD), for their efforts in identifying resources for these youth programs.

Councillor Golc asked what process is in place to determine who gets resources and who does not. Councillor Tilford stated that it begins with a request to the Front Porch Alliance. The Front Porch Alliance will then identify resources available and determine if that group's needs

can be met. Councillor Golc asked if all organizations are treated equally and fairly or what process is used to determine which programs warrant assistance. Ms. Davis stated that the Front Porch Alliance has made a concentrated effort to contact churches, youth centers, neighborhood associations, and other community value-based organizations in each area of the City and County. She added that the Front Porch Alliance then tries to assist those various entities in determining needs and identifying resources to promote programs which aid in the social welfare of young people and their families. The biggest need which has been identified seems to be transportation for children in more volatile neighborhoods who attend youth programs until their parents return home from work. These children often have to walk long distances home in the dark, and transportation would insure increased safety. She stated that this particular vehicle was determined to be of no value to the City. Rather than simply dispose of it, the administration felt it would benefit the programs of the Faith Teaching Church.

Councillor Golc stated that there does not seem to be any established process in place, but that the Alliance simply tries to work through the needs brought to their attention by identifying resources. Ms. Davis stated that this is correct and that the Alliance primarily works through a list of needs on the basis of first-come, first-served as resources are identified.

Councillor Tilford stated that the process is not as simple as it sounds. He said that he and other DMD staff visited the facility to ensure that it was a valid program and that the van would be put to good use.

Councillor Black added that he has worked with Reverend Madison in several community youth activities in the past and Reverend Madison puts forth great efforts to enrich the lives of underprivileged youth. He said that these programs have always suffered because of lack of transportation, and he supports this proposal wholeheartedly.

Councillor Williams stated that a report or list should be made available of those items or resources which have been given to organizations through the Front Porch Alliance.

Councillor Gilmer asked in whose budget the Front Porch Alliance is included. He stated that he knows nothing about the organization or what they are attempting to do.

Councillor McClamroch stated that there is no finer effort by the Goldsmith administration than the Front Porch Alliance. He added that the Alliance's success has been remarkable, and a report of their activities to date would be good for the Council to see, so that members are made aware of the way this group is solving problems through other institutions in the community other than government.

Councillor Schneider stated that he believes some of the budget for the Front Porch Alliance is included in the Department of Administration's budget. He stated that the Front Porch Alliance is doing a great job of putting money and resources where people need it.

Councillor Coughenour stated that the City and County continue to put money into alternative schooling, parks, and other social-based activities. She stated that it makes sense to put resources which are no longer of value to the City into the hands of organizations that are making a difference in the communities. It makes sense to promote activities that may prevent the cost of sending even one child to an \$85-a-day juvenile facility. She stated that government and government activities are not the answer to everything.

Councillor Gray stated that he also wants to know where the budget for Front Porch Alliance comes from. Councillor Hinkle answered that the Metropolitan Development Committee heard a Front Porch Alliance presentation during the budget process by Bill Stanczykiewicz, Policy Director for Community Renewal. He stated that the vision, goals, efforts, and budget for the Front Porch Alliance were all presented in that Committee meeting and were well-relayed in the Committee minutes. He encouraged Councillors to re-read those minutes.

Councillor Tilford stated that any Councillor who is truly involved in their districts and involved with the organizations in their community will know the purpose of the Front Porch Alliance and will recognize what a great cause they are promoting. He stated that no other government program or entity has been so focused on children and the social value needs of the community.

Councillor Gilmer stated that he does not understand why Robin Run, which is a retirement village made up of \$135,000 apartments on the northwest side, would receive assistance from the Front Porch Alliance. He said that the Alliance's director, Mr. Stanczykiewicz, spoke at the groundbreaking for this project.

Councillor Hinkle stated that the Front Porch Alliance sent out thousands of letters to churches, community organizations, and neighborhood associations. He stated that the Alliance's goal is to put money and resources into those organizations in the community that are providing value-based programs to the residents. He stated that of those letters sent out, approximately 300 organizations responded that they could benefit from the Alliance's efforts to put them in touch with resources to meet their needs. Ms. Davis added that the goal of the Alliance is not to make handouts to organizations, but to facilitate partnerships throughout the City to promote the social well-being of communities. Councillor Hinkle stated that the Alliance's effort aids organizations in the community that can accomplish what the government cannot do.

Councillor McClamroch stated that this program is so important to the City that Councillors should take the time to become familiar with the efforts. He added that Councillor Williams' suggestion to have a report given to the Council is a good one. He stated that he would like the Clerk to ask the Director of the Front Porch Alliance to make a presentation at the next Council meeting on February 8, 1999.

Councillor McClamroch moved, seconded by Councillor Hinkle, for adoption. Proposal No. 743, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 743, 1998 was retitled SPECIAL RESOLUTION NO. 8, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1999

A SPECIAL RESOLUTION authorizing the City of Indianapolis by and through its Department of Administration to transfer one (1) 1995 Chevrolet Cargo Van C30 (VIN 1GCFG35K95F185439; City

Asset No. 95-083) to the Faith Teaching Church of Deliverance to further the objectives and activities of the Front Porch Alliance.

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

SECTION 1. Pursuant to Section 186-5(b) of the Code of Indianapolis and Marion County, Indiana, which requires the City-County Council to approve the transfer of personal property which was originally valued at Five Thousand Dollars (\$5,000.00) or more, the City-County Council authorizes the transfer of a 1995 Chevrolet Cargo Van 30C (VIN IGCFG3SK9SF185439; City Asset No. 95-083) by the Department of Administration to the Faith Teaching Church of Deliverance to further the objectives and activities of the Front Porch Alliance. The transfer shall be at the terms and conditions specified in the Agreement between the City of Indianapolis and Faith Teaching Church of Deliverance Concerning a Cargo Van, a copy of which Agreement is attached as Exhibit A to the official copy of this resolution.

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

Councillor Schneider reported that the Administration and Finance Committee heard Proposal Nos. 2-5, 1999 on January 19, 1999. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 2, 1999. The proposal, sponsored by Councillor Coughenour, approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Beech Grove for the enforcement of ordinance violations. PROPOSAL NO. 3, 1999. The proposal, sponsored by Councillor Coonrod, approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Lawrence for the enforcement of ordinance violations. PROPOSAL NO. 4, 1999. The proposal, sponsored by Councillor Massie, approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Southport for the enforcement of ordinance violations. PROPOSAL NO. 5, 1999. The proposal, sponsored by Councillor Shambaugh, approves the Interlocal Cooperation Agreement between the City of Indianapolis and the Town of Speedway for the enforcement of ordinance violations. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal Nos. 2-5, 1999 were adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Franklin, Moores

1 ABSENT: Massie

Proposal No. 2, 1999 was retitled COUNCIL RESOLUTION NO. 14, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 14, 1999

A COUNCIL RESOLUTION approving the Interlocal Cooperation Agreement by and between the Consolidated City of Indianapolis and the Excluded City of Beech Grove for enforcement of ordinance violations.

WHEREAS, the Consolidated City of Indianapolis and the Excluded City of Beech Grove have heretofore entered into an interlocal cooperation agreement for the enforcement of ordinance violations; and

WHEREAS, said interlocal cooperation agreement has been submitted to this Council for approval;

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

SECTION 1. The interlocal cooperation agreement heretofore entered into by the Consolidated City of Indianapolis and the Excluded City of Beech Grove 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. 3, 1999 was retitled COUNCIL RESOLUTION NO. 15, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 1999

A COUNCIL RESOLUTION approving the Interlocal Cooperation Agreement by and between the Consolidated City of Indianapolis and the City of Lawrence for enforcement of ordinance violations.

WHEREAS, the Consolidated City of Indianapolis and the City of Lawrence have heretofore entered into an interlocal cooperation agreement for the enforcement of ordinance violations; and

WHEREAS, said interlocal cooperation agreement has been submitted to this Council for approval;

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

SECTION 1. The interlocal cooperation agreement heretofore entered into by the Consolidated City of Indianapolis and the City of Lawrence 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. 4, 1999 was retitled COUNCIL RESOLUTION NO. 16, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 1999

A COUNCIL RESOLUTION approving the Interlocal Cooperation Agreement by and between the Consolidated City of Indianapolis and the Excluded City of Southport for enforcement of ordinance violations.

WHEREAS, the Consolidated City of Indianapolis and the Excluded City of Southport have heretofore entered into an interlocal cooperation agreement for the enforcement of ordinance violations; and

WHEREAS, said interlocal cooperation agreement has been submitted to this Council for approval;

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

SECTION 1. The interlocal cooperation agreement heretofore entered into by the Consolidated City of Indianapolis and the Excluded City of Southport 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. 5, 1999 was retitled COUNCIL RESOLUTION NO. 17, 1999, and reads as follows:

January 25, 1999

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 1999

A COUNCIL RESOLUTION approving the Interlocal Cooperation Agreement by and between the Consolidated City of Indianapolis and the Town of Speedway for enforcement of ordinance violations.

WHEREAS, the Consolidated City of Indianapolis and the Town of Speedway have heretofore entered into an interlocal cooperation agreement for the enforcement of ordinance violations; and

WHEREAS, said interlocal cooperation agreement has been submitted to this Council for approval;

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

SECTION 1. The interlocal cooperation agreement heretofore entered into by the Consolidated City of Indianapolis and the Town of Speedway 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. 6, 1999. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 6, 1999 on January 20, 1999. The proposal, sponsored by Councillors Shambaugh and Massie, approves the creation and establishment of the nonreverting Park Endowment Maintenance Fund for maintenance of the public parks. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Golc stated that this proposal is an important first step, but he feels that fund-raising efforts should be wider in scope. He stated that he is having a meeting on Thursday, January 28, 1999, with the Parks Department Director, Councillor Massie, and the Indy Parks Foundation to discuss concerns and see how other organizations are managing fund-raising efforts. He stated that in light of this meeting and open dialogue, he has changed his opinion and will be voting in favor of this proposal this evening.

Councillor Shambaugh moved, seconded by Councillor O'Dell, for adoption. Proposal No. 6, 1999 was adopted on the following roll call vote; viz:

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

1 NAY: Gray

3 NOT VOTING: Black, Coughenour, Franklin

1 ABSENT: Massie

Proposal No. 6, 1999 was retitled GENERAL ORDINANCE NO. 6, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1999

A GENERAL ORDINANCE to amend Article III of Chapter 135 of the Revised Code by approving the creation and establishment of the nonreverting Park Endowment Maintenance Fund for maintenance of the public parks.

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

SECTION 1. Article III 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 7.

DIVISION 7. PARK ENDOWMENT MAINTENANCE FUND

Sec. 135-371. Fund established.

There is hereby created and established a special nonreverting maintenance endowment fund for the department of parks and recreation to be used solely for expenses directly related to the maintenance and upkeep of the public parks throughout the City of Indianapolis and Marion County to be designated as the "Park Endowment Maintenance Fund." The city controller shall deposit in this fund all monies received by or credited to the department of parks and recreation and earmarked for this fund in order to assist the department of parks and recreation in carrying out its ongoing maintenance obligations in the public parks.

Sec. 135-372. Nonreverting.

This fund shall be a nonreverting fund with the express intention in creating this fund to be to allow the principal in this fund to increase year after year to enable the interest earned on the monies in this fund to be used to help defray maintenance and upkeep costs in the public parks. This fund shall also be non-expendable except with the approval of the city-county council.

Sec. 135-373. Initial funding.

This fund will be initially established through the transfer of up to Five Hundred Thousand Dollars (\$500,000) from the park general fund and any other available sources of private funding which may become available to the department of parks and recreation.

Sec. 135-374. Accounting procedures.

This fund and the accounting thereof shall adhere in all respects to existing, established policies and procedures for fund controls, reporting and auditing requirements.

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

PROPOSAL NO. 11, 1999. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 11, 1999 on January 14, 1999. The proposal authorizes the City to execute a Third Supplemental Trust Indenture (Ogden Martin Systems of Indianapolis, Inc. Project). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 11, 1999 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Franklin

1 ABSENT: Massie

Proposal No. 11, 1999 was retitled SPECIAL ORDINANCE NO. 1, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1999

A SPECIAL ORDINANCE authorizing the Consolidated City of Indianapolis, Indiana, and Marion County, Indiana, to execute a Third Supplemental Trust Indenture which would amend a Restated and Supplemented Trust Indenture, dated as of December 1, 1985, to allow Debt Service Reserve Fund Credit Facilities to be deposited into the Debt Service Reserve Fund and use the excess funds in the Debt Service Reserve Fund for the purposes related to the Project (as hereinafter defined) as set forth in said Restated and Supplemented Trust Indenture, including, but not limited to, payment for the retrofit of the emissions control facilities as required to ensure compliance with the federal Clean Air Act Amendments of 1990, including, but not limited to, emissions control systems for mercury, nitrogen

oxide and fugitive dust, and upgrade of the continuous emissions monitoring system and related improvements, together with all costs associated with the execution and delivery of the Third Supplemental Trust Indenture

WHEREAS, the City of Indianapolis, Indiana (the "Issuer" or the "City"), pursuant to Indiana Code 36-1-3 and 36-9-31 (collectively, the "Law") has previously issued \$109,000,000 in aggregate principal amount of "City of Indianapolis, Indiana Adjustable/Fixed Rate Recourse Recovery Facility Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project)" issued in three series designated 1985 Series A, 1985 Series B and 1985 Series C (collectively, the "1985 Bonds") in accordance with a Restated and Supplemented Trust Indenture, dated as of December 1, 1985 (the "Original Indenture"), by and between the City and The Indiana National Bank, as trustee (the "Trustee"); and

WHEREAS, on September 14, 1996, pursuant to the Law and in accordance with the Original Indenture, as amended by a First Supplemental Trust Indenture, dated as of March 1, 1992 (the "First Supplemental Indenture"), and as further amended by a Second Supplemental Trust Indenture, dated as of September 1, 1996 (the "Second Supplemental Indenture") the Issuer issued its Resource Recovery Refunding Revenue Bonds, Series 1996 (Ogden Martin Systems of Indianapolis, Inc. Project), dated as of September 1, 1996 (the "Series 1996 Bonds"), the proceeds of which were used to refund all of the outstanding 1985 Bonds and to pay all of the costs of issuance incurred in connection therewith; and

WHEREAS, the City desires to (i) make certain renovations at the Project (as defined in the Original Indenture) including, but not limited to, retrofit of the emissions control facilities as required to ensure compliance with the federal Clean Air Act Amendments of 1990, including, but not limited to, emissions control systems for mercury, nitrogen oxide and fugitive dust, and upgrade of the continuous emissions monitoring system and related improvements, and (ii) pay all costs associated with the execution and delivery of the Third Supplemental Trust Indenture including, but not limited to, the purchase of a Debt Service Reserve Fund Credit Facility (as hereinafter defined) (the "1998 Project"); and

WHEREAS, the City wants to replace a portion of the funds on deposit in the Debt Service Reserve Fund (as defined in the Original Indenture) with a Debt Service Reserve Fund Credit Facility (as hereinafter defined), transfer such funds from the Debt Service Reserve Fund to the Issuer Surplus Fund (as defined in the Original Indenture) and disburse such funds from the Issuer Surplus Fund to pay for costs of the 1998 Project; and

WHEREAS, the Board of Asset Management and Public Works of the City (the "Board") in its Resolution No. ___-1998, which it adopted on December 16, 1998, recommended the adoption of this form of ordinance (the "Ordinance") by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), and has further approved the substantially final form of the Third Supplemental Trust Indenture in substantially the form presented to this Council with this Ordinance (the "Third Supplemental Indenture"); and

WHEREAS, it is now necessary to amend the Original Indenture, as amended by the First Supplemental Indenture and the Second Supplemental Indenture in accordance with Section 1101(i) of the Original Indenture to (i) provide for the deposit of the Debt Service Reserve Fund Credit Facility into the Debt Service Reserve Fund; (ii) provide that money which is in excess of the Debt Service Reserve Requirement, taking into account the Debt Service Reserve Fund Credit Facility, may be transferred to the funds and accounts set forth in the Third Supplemental Indenture; and (iii) provide that a portion of such funds shall be used to pay for all or a portion of costs of the 1998 Project and all or a portion of the costs incurred in connection therewith; and

WHEREAS, the Board has transmitted the Third Supplemental Indenture to the Council for approval of that substantially final form; 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 Third Supplemental Indenture, the deposit of the Debt Service Reserve Fund Credit Facility into the Debt Service Reserve Fund and the use of certain funds as set forth in the Third Supplemental Indenture for the 1998 Project comply with the purposes and provisions of the Law and will be of benefit to the health and welfare of the City and its citizens.

SECTION 2. The substantially final form of the Third Supplemental Indenture is hereby approved, is incorporated herein by reference, shall be kept on file in the office of the Clerk of the City in accordance with the provisions of IC 36-1-5-4. Two copies of the Third Supplemental Indenture are on file in the office of the Clerk for public inspection pursuant to that statute.

SECTION 3. The Mayor of the City, Controller of the City and the Clerk of the City are authorized and directed to execute, attest, affix or imprint by any means the seal of the City of Indianapolis to (a) the Third Supplemental Indenture, with such changes thereto the Mayor, the Controller or the Clerk of the City deem necessary or desirable, and (b) any other documents or closing certificates which may be necessary or desirable to consummate the transactions contemplated by this Ordinance.

SECTION 4. The provisions of this Ordinance and the Third Supplemental Indenture shall constitute contracts binding between the City and the respective owners of the Original Indenture, as amended by the First Supplemental Indenture, the Second Supplemental Indenture and the Third Supplemental Indenture, and after the execution and delivery of the Third Supplemental Indenture, this Ordinance shall not be repealed or amended in any respect which may adversely affect the rights of any such owner.

SECTION 5. All ordinances and parts of ordinances in conflict or inconsistent herewith are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-6-4-16.

NEW BUSINESS

Councillor Golc stated that he spoke with Councillor McClamroch before tonight's meeting about his concerns regarding the recent parks contract awarded on November 6, 1998. He stated that his concern stems from the fact that no public hearing has been held regarding this contract, which commits \$58,000 for six months. Councillor McClamroch stated that this is a legitimate issue and he spoke with the chairman of the Parks Committee. Councillor Shambaugh has agreed to hold a public hearing at a regularly scheduled Parks Committee meeting. Councillor Golc thanked Councillor McClamroch for his efforts.

Councillor Black stated that the Butler-Tarkington area is comprised of mostly single-family residences. However, there are many families residing in one home in many instances. This overcrowding causes legitimate parking issues. He asked if there are zoning or parking codes in place to prevent these problems. Councillor Gilmer advised Councillor Black to contact the Department of Metropolitan Development regarding residential zoning code enforcement.

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 Curry, Borst, and SerVaas in memory of L. Keith Bulen; and
- (2) Councillor Coughenour in memory of Phyllis Vonnegut; and
- (3) Councillor Bradford in memory of Bruce A. Nelson; and
- (4) Councillors Talley, Bradford, Schneider, O'Dell, Curry, and McClamroch in memory of James Logsdon; and
- (5) Councillor O'Dell in memory of Lois Sinn; and

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- (6) Councillor Black in memory of David Parham and Levi Lewis; and
- (7) Councillor Franklin in memory of David Franklin Eubanks.

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 L. Keith Bulen, Phyllis Vonnegut, Bruce A. Nelson, James Logsdon, Lois Sinn, David Parham, Levi Lewis, and David Franklin Eubanks. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:45 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 25th day of January, 1999.

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)