

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

**REGULAR MEETINGS  
MONDAY, FEBRUARY 22, 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 7:09 p.m. on Monday, February 22, 1999, with Councillor SerVaas presiding.

Councillor McClamroch 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*

*0 ABSENT:*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Black recognized a former classmate, Margaret Russell. Councillor Brents introduced her husband Leon, and stated that they celebrated their 50<sup>th</sup> Wedding anniversary last Saturday. Councillor Talley recognized the associate pastor of the Greater St. Mark's Baptist Church, Reverend James Payton.

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, February 22, 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

February 9, 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, February 10, 1999, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, February 11, 1999, a copy of a Notice of Public Hearing on Proposal Nos. 94, 96, 98-102, 106, 108, and 109, 1999, said hearing to be held on Monday, February 22, 1999, at 7:00 p.m. in the City-County Building.

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

February 12, 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:

FISCAL ORDINANCE NO. 4, 1999 - 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

FISCAL ORDINANCE NO. 5, 1999 - 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

FISCAL ORDINANCE NO. 6, 1999 - 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

FISCAL ORDINANCE NO. 12, 1999 - 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

*February 22, 1999*

FISCAL ORDINANCE NO. 13, 1999 - 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

FISCAL ORDINANCE NO. 14, 1999 - 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

FISCAL ORDINANCE NO. 15, 1999 - 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

FISCAL ORDINANCE NO. 16, 1999 - 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

FISCAL ORDINANCE NO. 17, 1999 - 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

FISCAL ORDINANCE NO. 18, 1999 - 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

FISCAL ORDINANCE NO. 19, 1999 - 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

GENERAL ORDINANCE NO. 7, 1999 - amends the Revised Code concerning the reorganization of the Department of Capital Asset Management

GENERAL ORDINANCE NO. 8, 1999 - authorizes intersection controls for Eagle Creek Village (Districts 16, 17)

GENERAL ORDINANCE NO. 9, 1999 - authorizes intersection controls for Bridge Court/Hartford Avenue, Danbury Drive/Winsted Drive, and Hartford Avenue/Winsted Drive (District 19)

GENERAL ORDINANCE NO. 10, 1999 - authorizes a multi-way stop at Denny Street and Walnut Street (District 15)

GENERAL ORDINANCE NO. 11, 1999 - authorizes a multi-way stop at Serpent Circle and Woods Bay Lane (District 5)

GENERAL ORDINANCE NO. 12, 1999 - authorizes a change in parking restrictions for Wyandotte Trail (District 7)

GENERAL ORDINANCE NO. 13, 1999 - authorizes a change in parking restrictions for Parker Avenue on the east side near 56th Street (District 7)

GENERAL ORDINANCE NO. 14, 1999 - authorizes a change in parking restrictions for Orchard Village Drive near Stop 11 Road (District 25)

GENERAL ORDINANCE NO. 15, 1999 - authorizes a change in parking restrictions on Tibbs Avenue from Morris Street to I-70 (District 17)

GENERAL ORDINANCE NO. 16, 1999 - authorizes a change in parking restrictions on Colorado Avenue near Michigan Street (District 15)

GENERAL ORDINANCE NO. 17, 1999 - authorizes a change in parking restrictions on Troy Avenue between Madison Avenue and Shelby Street (District 20)

GENERAL ORDINANCE NO. 18, 1999 - authorizes a weight limit restriction on Stop 10 Road between Madison Avenue to Shelby Street (District 20)

GENERAL ORDINANCE NO. 19, 1999 - authorizes a 25 mph speed limit on Sunningdale Boulevard from Country Club Road to Tansel Road (District 18)

GENERAL ORDINANCE NO. 20, 1999 - authorizes a 25 mph speed limit restriction in Warren Woods and Hunters Crossing Subdivisions (District 5)

SPECIAL RESOLUTION NO. 9, 1999 - recognizes Arlington High School Principal Jacqueline S. Greenwood for her national award from the U.S. Department of Education

SPECIAL RESOLUTION NO. 10, 1999 - urges the City and Olin Corporation to redouble their efforts to save the Holt Road Olin Brass Plant jobs

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 February 8, 1999. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 177, 1999. The proposal, sponsored by Councillor Brents, congratulates Anna Glenn Bass on her 100th birthday. Councillor Brents read the proposal and presented family members with a copy of the document and Council pins. Margaret Russell and Kathy Robertson, the daughter and granddaughter of Mrs. Bass respectively, thanked the Council for the recognition. Councillor Brents moved, seconded by Councillor Black, for adoption. Proposal No. 177, 1999 was adopted by a unanimous voice vote.

Proposal No. 177, 1999 was retitled SPECIAL RESOLUTION NO. 11, 1999, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 11, 1999**

A SPECIAL RESOLUTION congratulating Anna Glenn Bass on her 100<sup>th</sup> birthday.

WHEREAS, Anna Glenn Bass was born one hundred years ago on March 9, 1899, in Nashville, Tennessee, and moved to Indianapolis with her parents in 1904; and

WHEREAS, when Anna was born, there were only 45 states, Civil War veterans were still here in the thousands, Butch Cassidy and "The Sundance Kid" were busy robbing trains and banks, and the world was anxiously looking forward to the coming 20<sup>th</sup> Century; and

WHEREAS, Anna has two surviving daughters, Betty Glenn Dorsey and Margaret Glenn Russell, and she is blessed with eight grandchildren, 20 great-grandchildren, and 27 great-great-grandchildren who have all learned a lot by being around "Grandma"; and

WHEREAS, she has been active in her Phillips Temple C.M.E. Church, singing in the church choir and in other choirs, and is the oldest living member of her church; now, therefore:

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

February 22, 1999

SECTION 1. The Indianapolis City-County Council congratulates Anna Glenn Bass for her long and productive Centennial of life.

SECTION 2. Anna soon will have lived during three different centuries, the 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>, and has been an important part of the Near-west side of Indianapolis, as well as an important part of five generations of her family.

SECTION 3. The Council wishes her the best of health and happiness for many years yet to come.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 178, 1999. The proposal, sponsored by Councillor Smith, recognizes George and Karen Wheatley of Wheatley's Market in Wanamaker. Councillor Smith read the proposal and presented Mr. and Mrs. Wheatley with copies of the document and Council pins. Councillor Dowden stated that Mr. and Mrs. Wheatley have heavily supported the 4-H program in Marion County for several years, and he is happy to see them recognized. Mr. Wheatley thanked the Council for this recognition and thanked all his employees, customers, family, and friends for their support over the years. Councillor Smith moved, seconded by Councillor Moores, for adoption. Proposal No. 178, 1999 was adopted by a unanimous voice vote.

Proposal No. 178, 1999 was retitled SPECIAL RESOLUTION NO. 12, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1999

A SPECIAL RESOLUTION recognizing George and Karen Wheatley of Wheatley's Market in Wanamaker.

WHEREAS, for almost a half-century two generations of the Wheatley family have owned and operated the neighborhood grocery store in Wanamaker that specialized in fresh custom cut meats that were said to be the best in town; and

WHEREAS, George Wheatley started working at his father's store when he was 13, and when he married Karen in 1972, she too came on board; and

WHEREAS, behind the store was a huge legendary 12-foot tall fiberglass Black Angus bull that participated in more than a few area parades; and

WHEREAS, but with each passing year people's tastes and lifestyles changed: The high-volume supermarkets came to town, and commercial foods became frozen, instant, healthful, microwaveable, pre-packaged, controlled portions, carry-out, and most importantly, convenient, for families with multiple jobs, and long and irregular hours; and

WHEREAS, George and Karen Wheatley loved what they did, and they ran their store very well for a long time; but today the Wanamaker business district is short by a member that was overtaken by the times; 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 George and Karen Wheatley whose Wheatley's Market stood as a pillar in Franklin Township for many years—with the store serving as a meeting place, a friendly place, and a supplier of great meats.

SECTION 2. The Council commends and thanks the Wheatley's for their years of contributions to the community, and wishes them the very best in the future.

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. 192, 1999. The proposal, sponsored by Councillor Talley, congratulates Greater St. Mark Missionary Baptist Church on its 72<sup>nd</sup> anniversary. Councillor Talley read the proposal and presented Reverend James Payton, associate pastor, with a copy of the document and a Council pin. Rev. Payton thanked the Council for this acknowledgement and encouraged members to continue to labor in the spirit of love for this City. Councillor Talley moved, seconded by Councillor Boyd, for adoption. Proposal No. 192, 1999 was adopted by a unanimous voice vote.

Proposal No. 192, 1999 was retitled SPECIAL RESOLUTION NO. 13, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1999

A SPECIAL RESOLUTION congratulating Greater St. Mark Missionary Baptist Church on its 72<sup>nd</sup> anniversary.

WHEREAS, in 1927, three men paid \$6.00 each to rent a room to charter a new Missionary Baptist Church in Indianapolis; and

WHEREAS, from that first church service on Yandes Street by twelve people in a rented room, Greater St. Mark Missionary Baptist Church at 5502 East 38<sup>th</sup> Street has grown and matured over the past seven decades; and

WHEREAS, Greater St. Mark had its first big growth spurt during the Great Depression in the 1930's as Southerners migrated to cities like Indianapolis to better their lot in life; and

WHEREAS, with the church's humble but unwavering beginnings as a firm foundation, and the growth spurt of many rock-solid families ten years later, Greater St. Mark has never looked back; and

WHEREAS, with a progression of good God-fearing pastors over the years, and a growing and righteous flock of believers, Greater St. Mark has been able to expand its mission with strong church governance, music, Christian education, inspiring many of its young people to the ministry, and witnessing to the neighborhood; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Greater St. Mark Missionary Baptist Church on East 38<sup>th</sup> Street upon its 72<sup>nd</sup> anniversary.

SECTION 2. Reviewing the past is important and enjoyable, but it is equally important that Greater St. Mark use this proud heritage as a foundation for the future: To find and attend to people with hurts, to take that next step in helping the neighborhood around the church, to increase church giving even more for God's work, to bring additional souls to church, to redouble the work for the children, to passionately share each other's joys and sorrows, and to willingly and gladly respond to whatever else that God would call upon this flock to do.

SECTION 3. The city is a better place to live thanks to hard working and enthusiastic people like the members and friends of Greater St. Mark Missionary Baptist Church

SECTION 4. 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 No. 750, 1998, Proposal No. 12, 1999, as amended, and Proposal Nos. 21, 22, 76, 103, 104, 105, and 107, 1999 together. All are board or director appointments and were reported out of committee with unanimous do pass recommendations. Consent was given.

PROPOSAL NO. 750, 1998. The proposal reappoints Philip D. Pecar to the Health and Hospital Corporation Board of Trustees. PROPOSAL NO. 12, 1999. The proposal appoints James Stephenson to the Common Construction Wage Committee for Decatur Township. PROPOSAL NO. 21, 1999. The proposal reappoints James Caughey to the Beech Grove Public Library Board. PROPOSAL NO. 22, 1999. The proposal reappoints Philip C. Borst to the Capital Improvement Board of Managers. PROPOSAL NO. 76, 1999. The proposal reappoints Wayne Reynolds to the Speedway Economic Development Commission. PROPOSAL NO. 103, 1999. The proposal, sponsored by Councillor Coughenour, approves the Mayor's appointment of Dennis M. Neidigh to serve as Director of the Department of Public Works. PROPOSAL NO. 104, 1999. The proposal approves the Mayor's appointment of John R. Hall to serve as Deputy Mayor. PROPOSAL NO. 105, 1999. The proposal approves the Mayor's appointment of Susan W. Brooks to serve as Deputy Mayor. PROPOSAL NO. 107, 1999. The proposal, sponsored by Councillor Gilmer, approves the Mayor's appointment of Dennis M. Neidigh to serve as Director of the Department of Capital Asset Management. Councillor McClamroch moved, seconded by Councillor Gilmer, for adoption. Proposal No. 750, 1998, Proposal No. 12, 1999, as amended, and Proposal Nos. 21, 22, 76, 103, 104, 105, and 107, 1999 were adopted by a unanimous voice vote.

Proposal No. 750, 1998 was retitled COUNCIL RESOLUTION NO. 23, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 1999

A COUNCIL RESOLUTION reappointing Philip D. Pecar to the Health and Hospital Corporation Board of Trustees.

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 Health and Hospital Corporation Board of Trustees, the Council appoints:

Philip D. Pecar

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. 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. 12, 1999, as amended, was retitled COUNCIL RESOLUTION NO. 24, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 1999

A COUNCIL RESOLUTION appointing James Stephenson to the Common Construction Wage Committee for Decatur Township.

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

SECTION 1. As a member of the Common Construction Wage Committee for Decatur Township, the Council appoints:

James Stephenson

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

Proposal No. 21, 1999 was retitled COUNCIL RESOLUTION NO. 25, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1999

A COUNCIL RESOLUTION reappointing James Caughey to the Beech Grove Public Library 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 Beech Grove Public Library Board, the Council reappoints:

James Caughey

SECTION 2. The reappointment made by this resolution is for a term beginning April 1, 1999, and ending March 31, 2003. 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. 22, 1999 was retitled COUNCIL RESOLUTION NO. 26, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1999

A COUNCIL RESOLUTION reappointing Philip C. Borst to the Capital Improvement Board of Managers.

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 Capital Improvement Board of Managers, the Council appoints:

Philip C. Borst

SECTION 2. The appointment made by this resolution is for a term ending January 14, 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. 76, 1999 was retitled COUNCIL RESOLUTION NO. 27, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1999

A COUNCIL RESOLUTION reappointing Wayne Reynolds to the Speedway Economic Development Commission.

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

February 22, 1999

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

Wayne Reynolds

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. 103, 1999 was retitled COUNCIL RESOLUTION NO. 28, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of Dennis M. Neidigh as Director of the Department of Public Works for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Dennis M. Neidigh to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. Dennis M. Neidigh is approved and confirmed by the City-County Council to serve as Director of the Department of Public Works at the pleasure of the Mayor for a term ending December 31, 1999.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 104, 1999 was retitled COUNCIL RESOLUTION NO. 29, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of John R. Hall as Deputy Mayor for Neighborhoods for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana", mayoral appointments of Deputy Mayors for Neighborhoods are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of John R. Hall to serve as Deputy Mayor for Neighborhoods at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. John R. Hall is approved and confirmed by the City-County Council to serve as a Deputy Mayor for Neighborhoods at the pleasure of the Mayor for a term ending December 31, 1999.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 105, 1999 was retitled COUNCIL RESOLUTION NO. 30, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of Susan W. Brooks as Deputy Mayor for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana", mayoral appointments of Deputy Mayors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Susan W. Brooks to serve as Deputy Mayor at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. Susan W. Brooks is approved and confirmed by the City-County Council to serve as a Deputy Mayor at the pleasure of the Mayor for a term ending December 31, 1999.

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

Proposal No. 107, 1999 was retitled COUNCIL RESOLUTION NO. 31, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of Dennis M. Neidigh as Director of the Department of Capital Asset Management for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Capital Asset Management is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Dennis M. Neidigh to serve as Director of the Department of Capital Asset Management at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. Dennis M. Neidigh is approved and confirmed by the City-County Council to serve as Director of the Department of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1999.

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

Councillor Dowden asked for consent to read a letter into the record that pertains to Proposal No. 97, 1999 before the proposal is discussed and voted on. Consent was given.

February 22, 1999

Councillor Dowden read the following:

February 22, 1999

Dear Dr. Handt:

Because of the premeditated, misguided and inappropriate personal attack upon you when you appeared before the Public Safety and Criminal Justice Committee for consideration of your reappointment, the majority of the Committee wisely chose to move ahead with a vote on your nomination. However, this did prevent several citizens from coming up to endorse you as they indicated to me they wished to do prior to the convening of the meeting. Other members of the Committee join me in apologizing to you, your friends, and the viewing public of this City for the lack of civility shown you by one member of the Committee.

Knowing of your credentials and your outstanding service as the Director of Public Safety and as the Director of the Marion County Justice Agency, many people have questioned some recourse at law over slanderous remarks. However, even though it is an embarrassment to those of us who witnessed it, as one member of the Committee opined, it probably falls into the category of "robust political debate between public officials" and not worthy of judicial action.

We are grateful for your commitment to public service and your honesty and we are pleased to confirm your nomination for reappointment.

Sincerely,  
s/William A. Dowden, Chairman  
s/Dr. Philip Borst, Member  
s/Carlton Curry, Member  
s/William Schneider, Member  
s/David T. Smith, Member  
Public Safety and Criminal Justice Committee

PROPOSAL NO. 97, 1999. Councillor McClamroch reported that the Public Safety and Criminal Justice Committee heard Proposal No. 97, 1999 on February 10, 1999. The proposal, sponsored by Councillor Dowden, approves the Mayor's appointment of Dr. Alan E. Handt to serve as Director of the Department of Public Safety. By a 5-2-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Talley stated that he is opposed to Dr. Handt's appointment because of information that he requested but did not receive regarding the system failing to protect a woman, and ultimately causing her murder. He stated that he has requested this information at various times, including the aforementioned committee meeting, and has not received satisfactory answers. He stated that he had every right to call Dr. Handt's procedures into question at the committee hearing.

Councillor McClamroch stated that the letter was not in response to Councillor Talley's right to ask questions, but in response to his violent behavior and lack of human respect toward Dr. Handt. Councillor Talley stated that he does not apologize for trying to get his questions answered, and that if the Council feels he violated rules, he will suffer any consequences deemed necessary. Councillor McClamroch stated that, while Councillor Talley's behavior may not have violated any written Council rules, it simply violated the custom this Council has instituted of civility, respect, and self-restraint in healthy disagreements. He stated that, while Councillor Talley may find fault with some the department's procedures, this was no reason to challenge the

personal integrity of Dr. Handt. Councillor Talley asked how he challenged Dr. Handt's personal integrity at that meeting. Councillor McClamroch stated that Councillor Talley did so by calling Dr. Handt a liar. Councillor Talley stated that stating facts is not the same as challenging someone's integrity, and the truth is that Dr. Handt was lying at that meeting.

Councillor Talley moved, seconded by Councillor Gray, to strike Proposal No. 97, 1999. The motion to strike failed on the following roll call vote; viz:

*6 YEAS: Black, Brents, Golc, Gray, Jones, Talley*

*20 NAYS: Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Hinkle, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford*

*3 NOT VOTING: Franklin, Moriarty Adams, Williams*

Councillor Gray stated that Dr. Handt has the responsibility to respond to questions asked of him regarding his department's procedures by members of Council.

Councillor Moores stated that, while department directors are required to answer questions, Council members cannot dictate how this response takes place. She stated that Councillor Talley received a five-page answer from Dr. Handt in response to his questions.

Councillor Talley stated that he did not receive a five-page answer, but rather short yes and no answers written on his original letter to Dr. Handt. He added that these short yes and no responses did not fully answer his questions. He stated that he opposes this appointment because of Dr. Handt's lack of response in this case.

Councillor Dowden stated that Dr. Handt also had a one-hour meeting with Councillor Talley, after which Councillor Talley indicated that he was satisfied with the answers to his questions. He added that it is false to represent that Dr. Handt did not respond or lied.

Councillor McClamroch moved, seconded by Councillor Dowden, for adoption. Proposal No. 97, 1999 was adopted on the following roll call vote; viz:

*23 YEAS: Black, Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford*

*3 NAYS: Brents, Golc, Talley*

*3 NOT VOTING: Franklin, Moriarty Adams, Williams*

Proposal No. 97, 1999 was retitled COUNCIL RESOLUTION NO. 32, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of Dr. Alan E. Handt as Director of the Department of Public Safety for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Dr. Alan E. Handt to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. Dr. Alan E. Handt is approved and confirmed by the City-County Council to serve as Director of the Department of Public Safety at the pleasure of the Mayor for a term ending December 31, 1999.

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

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 154, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Leah Smith to serve as Director of the Department of Administration"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 155, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of James J. Glynn as hearing officer to preside over the administrative adjudication of parking citations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 156, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Peter A. Bisbecos as hearing officer to preside over the administrative adjudication of parking citations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 157, 1999. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$70,950 in the 1999 Budget of the Cable Communications Agency (Consolidated County Fund) to replace outdated video playback equipment for Channel 16, funded by a Public/Educational/Government (PEG) grant"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 158, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Eric D. Jones to the Urban Enterprise Association"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 159, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints James M. Roberts to the Urban Enterprise Association"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 160, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,157,308 in the 1999 Budget of the Department of Parks and Recreation (Park General Fund) to complete various park improvements including the Indianapolis Housing Agency sport courts, Greenways trails, Garfield Park Conservatory facade, and Juan Solomon Park low water crossing, financed

by grants from Lilly Endowment, Inc.”; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 161, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which confirms the Marion County Public Defender Board's nomination of David E. Cook as Marion County Chief Public Defender”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 162, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which authorizes the submission of the grant application to the Indiana Department of Corrections in order to renew the Community Corrections Program for the 1999-2000 fiscal year”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 163, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves a transfer of \$155,761 in the 1999 Budget of the County Sheriff (County General Fund) to pay for an automatic call distributor to the 911 system”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 165, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which requires that pre-trial release contractors notify witnesses and victims of domestic crimes whenever the accused person escapes or otherwise violates the stipulated monitoring conditions”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 166, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which gives the City the ability to charge a connection fee that recoups a fair pro rata share of the City's costs of construction of certain new sanitary sewers”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 167, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which approves an increase of \$308,730 in the 1999 Budget of the Department of Public Works, Contract Compliance Division (Solid Waste Collection Service District Fund) to fund new street sweeping contracts financed by fund balances”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 168, 1999. Introduced by Councillors Coughenour and Gilmer. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which amends the Revised Code concerning the Board of Asset Management and Public Works”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 169, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at 40th Street and Bolton Avenue (District 14)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 170, 1999. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Dry Den

Drive, Epperson Drive, and Old Mill Drive (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 171, 1999. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of a multi-way stop at Arlington Avenue and County Line Road (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 172, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes 55 degree parking on Vermont Street from Meridian Street to Pennsylvania Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 173, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of parking meters and the installation of a bus stop zone on Ohio Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 174, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Limestone Street near New York Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 175, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Arsenal Avenue between Washington Street and Williams Street (Districts 21, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 176, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction for Lockerbie Street from East Street to Park Avenue (District 22)"; and the President referred it to the Capital Asset Management Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 152, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 152, 1999 on February 11, 1999. The proposal is an inducement resolution for Covered Bridge Associates or a not-for-profit entity to be formed or designated in an amount not to exceed \$9,700,000 to be used for the acquisition and renovation of the existing Covered Bridge Apartments located at 68th and Georgetown Road (Covered Bridge Associates Project) (District 1). By a 7-0 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. 152, 1999 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*5 NOT VOTING: Black, Boyd, Brents, Hinkle, Jones*

Proposal No. 152, 1999 was retitled SPECIAL RESOLUTION NO. 14, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1999

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development 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, 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; and

WHEREAS, Sheltering Palms Foundation, Inc. or an entity designated by the Applicant which may be a 501(c)(3) organization (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "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 consist of the acquisition and renovation of the existing 252-unit Covered Bridge Apartments located on approximately an 18 acre parcel of land at 4909 Covered Bridge Road, Indianapolis, Indiana (the "Project"); and

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

WHEREAS, the acquisition and renovation 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 \$9,700,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition and renovation 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 acquisition and renovation 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 and renovation 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 August 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 renovation 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 I.150-2.

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

PROPOSAL NO. 153, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 153, 1999 on February 11, 1999. The proposal amends Special Resolution No. 39, 1998, by extending the expiration date in the inducement resolution through August 31, 1999, for Indiana IV, LLP in an amount not to exceed \$7,000,000 to be used for the acquisition and rehabilitation of the existing 248-unit Greystone Village Apartment complex located at 5505A Scarlett Drive (Northeast and Northwest quadrants of Moeller Road and 34th Streets) (Greystone Village Apartments Project) (District 8). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams stated that she will abstain to avoid the appearance of a conflict of interest.

Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 153, 1999 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Brents, Moriarty Adams, Talley*

Proposal No. 153, 1999 was retitled SPECIAL RESOLUTION NO. 15, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1999

A SPECIAL RESOLUTION amending City-County Special Resolution No. 39, 1998, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") 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 acquisition, 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; and

WHEREAS, City-County Special Resolution No. 39, 1998 has been previously-adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Indiana IV, LLP (the "Company") which resolution set an expiration date of February 28, 1999 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; 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 finds, determined, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of February 28, 1999, contained therein and replacing said date with the date of August 31, 1999.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 179, 1999, PROPOSAL NO. 180, 1999, and PROPOSAL NOS. 181-191, 1999. Introduced by Councillor Hinkle. Proposal No. 179, 1999 and Proposal No. 180, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on February 19, 1999. Proposal Nos. 181-191, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on February 18, 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. 35-47, 1999, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 35, 1999.

98-Z-38a

2971-2999 NORTH DEARBORN STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

Tabernacle Missionary Baptist Church requests the rezoning of 0.209 acre from D-5 to SU-1.

REZONING ORDINANCE NO. 36, 1999.

98-Z-200

4602 MILLERSVILLE ROAD (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 11

LIBERATION A.M.E. ZION CHURCH requests a rezoning of 4.223 acres, being in the SU-34 District, to the SU-1 classification to provide for a religious use.

REZONING ORDINANCE NO. 37, 1999.

98-Z-244

520 VIRGINIA AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

METROPOLITAN DEVELOPMENT COMMISSION, requests a rezoning of 1.72 acres, being in the C-5 District, to the C-2 classification to provide for multi-family housing.

REZONING ORDINANCE NO. 38, 1999.

98-Z-245

1915, 1921 & 1927 NORTH ALABAMA STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

HERRON-MORTON PLACE FOUNDATION, INC., requests a rezoning of 0.41 acre, being in the D-8 District, to the PK-1 classification to provide for the development of neighborhood educational and recreation park to include a walking path, pavilion, and playscape equipment for public use.

REZONING ORDINANCE NO. 39, 1999.

98-Z-248

1201 NORTH CENTRAL AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

METROPOLITAN DEVELOPMENT COMMISSION, requests a rezoning of 0.9 acre, being in the D-8 District, to the SU-1 classification to provide for church uses.

REZONING ORDINANCE NO. 40, 1999.

98-Z-262

7441 & 7445 ROCKVILLE ROAD (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

MARGARET DAY BAUER, by Sharron Ann Hill, requests a rezoning of 0.25 acre, being in D-5 District, to the C-I classification to provide for a professional insurance office.

REZONING ORDINANCE NO. 41, 1999.

99-Z-9

8501 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

ROCKVILLE ROAD STORAGE, by David Gilman, requests a rezoning of 1.692 acres, being in the C-S District, to the C-S classification to provide for outdoor storage in conjunction with a self-storage facility.

REZONING ORDINANCE NO. 42, 1999.

99-Z-19

714, 718, 722, 729, & 732 NORTH HIGHLAND AVENUE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.5 acre, being in the I-3-U, SU-18, and C-2 (FF) District, to the D-8 (FF) classification to conform the existing residential use with the recommendation of the Highland-Brookside Neighborhood Plan.

REZONING ORDINANCE NO. 43, 1999.

99-Z-21

901 & 905 NORTH CHESTER AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.3 acre, being in the D-5 District, to the SU-I classification to legally establish an existing church.

REZONING ORDINANCE NO. 44, 1999.

99-Z-22

1739 EAST MICHIGAN STREET and 458, 462, 467, & 469 NORTH WALCOTT STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.93 acre, being in the C-2 and D-8 District, to the SU-I classification to legally establish an existing church.

REZONING ORDINANCE NO. 45, 1999.

99-Z-34

430 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.86 acre, being in the C-4 (RC) District, to the CBD-2 (RC) classification to provide for Central Business District – Two uses.

REZONING ORDINANCE NO. 46, 1999.

98-CP-40Z

3636 EAST 38<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #11

UNITED NORTHEAST COMMUNITY DEVELOPMENT CORPORATION, by J. Peter Miller, requests a rezoning of 0.75 acre, being in the D-2 District, to the SU-38 classification to legally establish existing community center offices.

REZONING ORDINANCE NO. 47, 1999.

99-CP-2Z (99-DP-1)

8016 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

PROJECT PLUS, INC., by Thomas Michael Quinn, requests a rezoning of 31.4 acres, being in the D-A District, to the D-P classification to provide for single-family residential development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 45, 1999. Councillor Franklin reported that the Community Affairs Committee heard Proposal No. 45, 1999 on February 10, 1999. The proposal 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Coughenour, for adoption. Proposal No. 45, 1999 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Boyd, Jones*

Proposal No. 45, 1999 was retitled FISCAL ORDINANCE NO. 20, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Thirty Thousand Dollars (\$30,000) in the County Grants Fund for purposes of the Cooperative Extension Agency and County Auditor and reducing the unappropriated and unencumbered balance in the County 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,dd) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to provide funds for High Hopes, an after school tutoring program.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) 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>COUNTY GRANTS FUND</u>
1. Personal Services-Fringes	1,414
 <u>COOPERATIVE EXTENSION AGENCY</u>	
1. Personal Services	18,480
2. Supplies	1,520
3. Other Services and Charges	<u>8,586</u>
TOTAL INCREASE	30,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County 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 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. 58, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee first heard Proposal No. 58, 1999 on January 27, 1999. The proposal was postponed in committee and in Council on February 8, 1999 and was again heard in Committee on February 10, 1999. The proposal 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 58, 1999 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Bradford, Franklin

Proposal No. 58, 1999 was retitled FISCAL ORDINANCE NO. 21, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Forty-five Thousand Four Hundred and Fifty-six Dollars (\$45,456) in the State and Federal Grants Fund for purposes of Community Corrections 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 (z) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund the Community Action of Greater Indianapolis for the period from January 1, 1999 to March 31, 1999.

SECTION 2. The sum of Forty-five Thousand Four Hundred and Fifty-six Dollars(\$45,456) 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>45,456</u>
TOTAL INCREASE	45,456

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>45,456</u>
TOTAL REDUCTION	45,456

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. 96, 1999. The proposal approves an increase of \$2,000,000 in the 1999 Budget of the Department of Parks and Recreation (City Cumulative Capital Development Fund) to construct a new family aquatic center in William S. Sahm Park financed by fund balances. Councillor Shambaugh moved, seconded by Councillor Massie, to postpone Proposal No. 96, 1999 until March 15, 1999. Proposal No. 96, 1999 was postponed by a unanimous voice vote.

PROPOSAL NO. 94, 1999. The proposal approves an increase of \$8,554,351 in the 1999 Budget of the Department of Metropolitan Development, Division of Community Development and Financial Services (Federal Grants Fund) to provide affordable housing and economic

development opportunities for the citizens of Indianapolis financed by federal grants. Councillor Hinkle moved, seconded by Councillor Gilmer, to postpone Proposal No. 94, 1999 until March 15, 1999. Proposal No. 94, 1999 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 98, 99, 101, and 102, 1999 on February 10, 1999. He asked for consent to vote on Proposal Nos. 98, 101, and 102, 1999 together. Consent was given.

PROPOSAL NO. 98, 1999. The proposal approves an increase of \$44,150 In the 1999 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund a domestic violence prosecutor financed by a grant from Department of Justice and the Indianapolis Police Department. PROPOSAL NO. 101, 1999. The proposal approves an increase of \$79,000 In the 1999 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to provide technical and support services for the Arrestee Drug Abuse Monitoring Program funded by a federal grant. PROPOSAL NO. 102, 1999. The proposal approves an increase of \$37,840 In the 1999 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to provide funds for the New Path for Victims program which teaches victims the skills to overcome abuse and to break the cycle of violence funded by a state grant. 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 8:11 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 98, 101, and 102, 1999 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*6 NOT VOTING: Black, Franklin, Gray, Moores, Schneider, Talley*

Proposal No. 98, 1999 was retitled FISCAL ORDINANCE NO. 22, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Forty-four Thousand One Hundred Fifty Dollars (\$44,150) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney 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 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to fund a domestic violence prosecutor.

SECTION 2. The sum of Forty-four Thousand One Hundred Fifty Dollars (\$44,150) 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	9,150
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	<u>35,000</u>
TOTAL INCREASE	44,150

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>44,150</u>
TOTAL REDUCTION	44,150

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. 101, 1999 was retitled FISCAL ORDINANCE NO. 23, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Seventy-nine Thousand Dollars (\$79,000) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(bb) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the continuation of the Arrestee Drug Abuse Monitoring (ADAM) program. ADAM replace the Drug Use Forecasting (DUF) program.

SECTION 2. The sum of Seventy-nine Thousand Dollars (\$79,000) 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	4,660
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	29,125
2. Supplies	2,048
3. Other Services and Charges	<u>43,167</u>
TOTAL INCREASE	79,000

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>79,000</u>
TOTAL REDUCTION	79,000

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. 102, 1999 was retitled FISCAL ORDINANCE NO. 24, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Thirty-seven Thousand Eight Hundred Forty Dollars (\$37,840) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(bb) 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 County Justice Agency for the New Path for Victims program.

SECTION 2. The sum of Thirty-seven Thousand Eight Hundred Forty Dollars (\$37,840) 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 JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>37,840</u>
TOTAL INCREASE	37,840

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>37,840</u>
TOTAL REDUCTION	37,840

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. 99, 1999. The proposal approves an increase of \$538,798 in the 1999 Budget of the Marion County Superior Court, Juvenile Division (County Construction Fund) to reappropriate 1998 funds for construction of an alternative school financed by fund balances. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Golc stated that this is not a new direction for alternative schooling. He stated that judges are not educators, and the courts should not be involved in the business of education. He stated that this alternative school is simply a privatized part-time juvenile detention facility.

Councillor Coughenour stated that the thrust in this school has to be discipline because these kids need it. She stated that it may not be the answer to every situation, but it is keeping these kids off the street and giving them one last chance to get it together before they end up in juvenile detention. She said that while this alternative school is not perfect, she supports it.

Councillor Moores stated that the approach to dealing with kids today is much different than 25 years ago, and while not the perfect solution, this alternative school is a step in the right direction.

Councillor Golc stated that the school is not a step in a new direction, but is just a court-appointed part-time juvenile facility. He added that there are a number of issues that should be addressed before going forward with this project.

The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 99, 1999, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 99, 1999, as amended, was retitled FISCAL ORDINANCE NO. 25, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Five Hundred Thirty-eight Thousand Seven Hundred Ninety-eight Dollars (\$538,798) in the County Construction Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the County Construction 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 County Superior Court, Juvenile Division, to reappropriate funds from 1998 for construction of an alternative school.

SECTION 2. The sum of Five Hundred Thirty-eight Thousand Seven Hundred Ninety-eight Dollars (\$538,798) 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>COUNTY CONSTRUCTION FUND</u>
3. Other Services and Charges	94,269
4. Capital Outlay	<u>444,529</u>
TOTAL INCREASE	538,798

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

	<u>COUNTY CONSTRUCTION FUND</u>
Unappropriated and Unencumbered	
County Construction Fund	<u>538,798</u>
TOTAL REDUCTION	538,798

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

PROPOSAL NO. 106, 1999. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 106, 1999 on February 9, 1999. The proposal approves the issuance of Refunding Bonds in an aggregate original issued amount not to exceed \$47,500,000 and the execution and delivery of the Taxpayer Agreement Amendments (Harding Street Project). By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McClamroch stated that he will abstain from voting on Proposal No. 106, 1999.

The President called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 106, 1999 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Coonrod, McClamroch*

Proposal No. 106, 1999 was retitled GENERAL RESOLUTION NO. 1, 1999, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1999

A GENERAL RESOLUTION (i) approving the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, payable solely from (a) taxes on real property located in the Harding Street Redevelopment Project Allocation Area, as expanded from time to time, allocated and deposited into the Harding Street Redevelopment Project Allocation Area Fund pursuant to the provisions of Indiana Code 36-7-15.1-26, (b) payments from Eli Lilly and Company under a Taxpayer Agreement, dated as of April 24, 1991, as amended from time to time, and (c) other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, pledged for the purposes as provided in Indiana Code 36-7-15.1-17(h) and (ii) approving other matters related thereto.

WHEREAS, on February 17, 1999, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), adopted a Preliminary Bond Resolution (Resolution No. 99-D-010) (the "Preliminary Bond Resolution") authorizing:

(i) the issuance of special taxing district bonds of the District, in one or more series or issues, payable solely from (a) taxes on real property located in the Harding Street Redevelopment Project Allocation Area, as expanded from time to time, allocated and deposited into the Harding Street Redevelopment Project Allocation Area Fund pursuant to the provisions of Indiana Code 36-7-15.1-26, (b) payments from Eli Lilly and Company under a Taxpayer Agreement, dated as of April 24, 1991, as amended from time to time, and (c) other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, pledged for the purposes as provided in Indiana Code 36-7-15.1-17(h) (the "Refunding Bonds"), for the purpose of procuring funds to be applied to the cost of refunding all or a portion of the City of Indianapolis Redevelopment District Tax Increment Revenue Bonds of 1991 (Harding Street Project) issued on April 24, 1991 (the "1991 Bonds"), in the original aggregate issued amount of \$35,451,321, with a final maturity amount of \$51,490,000, together with the expenses in connection with or on account of the issuance of the Refunding Bonds authorized therein (collectively, the "Refunding Costs"), in an aggregate original issued amount not to exceed \$47,500,000; and

(ii) the execution and delivery of one or more amendments to the Taxpayer Agreement, dated as of April 24, 1991, as amended from time to time (the "Taxpayer Agreement") by and between the Commission and Eli Lilly and Company (the "Company"), which amendments are considered by the Commission to be best for the City of Indianapolis, Indiana (the "City"), and its inhabitants (the "Taxpayer Agreement Amendments"); and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Refunding Bonds and the execution and delivery of the Taxpayer Agreement Amendments pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the Refunding Bonds and the execution and delivery of the Taxpayer Agreement Amendments should be approved; 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 does hereby approve (i) the Preliminary Bond Resolution, (ii) the issuance of the Refunding Bonds of the District, in one or more series or issues, payable solely from (a) taxes on real property located in the Harding Street Redevelopment Project Allocation Area, as expanded from time to time, allocated and deposited into the Harding Street Redevelopment Project Allocation Area Fund pursuant to the provisions of Indiana Code 36-7-15.1-26, (b) payments from Eli Lilly and Company under a Taxpayer Agreement, dated as of April 24, 1991, as amended from time to time, and (c) other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, pledged for the purposes as provided in Indiana Code 36-7-15.1-17(h), in an aggregate original issued amount not to exceed \$47,500,000, and (iii) the execution and delivery of the Taxpayer Agreement Amendments.

SECTION 2. This resolution 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.

PROPOSAL NO. 108, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 108, 1999 on February 16, 1999. The proposal approves an increase of \$2,547,664 in the 1999 Budget of the Department of Capital Asset Management, Asset Management Division (State Grants Fund) to complete the widening of Harding Street south from I-465 to Hanna Avenue financed by a Build Indiana Grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 108, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 108, 1999 was retitled FISCAL ORDINANCE NO. 26, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Million Five Hundred Forty-seven Thousand Six Hundred Sixty-four Dollars (\$2,547,664) in the State Grants Fund for the purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the State Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to complete the widening of Harding Street south from I-464 to Hanna Avenue.

SECTION 2. The sum of Two Million Five Hundred Forty-seven Thousand Six Hundred Sixty-four Dollars (\$2,547,664) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>STATE GRANTS FUND</u>
4. Capital Outlay	2,547,664
TOTAL INCREASE	2,547,664

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	2,547,664
TOTAL REDUCTION	2,547,664

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. 109, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 109, 1999 on February 16, 1999. The proposal approves the reallocation of \$800,000 in the 1999 Budget of the Department of Capital Asset Management, Asset Management Division, from the City Cumulative Capital Improvement Fund to the Consolidated County Cumulative Capital Development Fund to allow the City to construct the Sahn pool without bond financing. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Black asked how the Parks Department continues to find money to appropriate for all these special projects, yet cannot fund holiday pay for employees. He stated that Parks Department employees only receive three paid holidays a year.

Councillor Gilmer stated that this is a situation that is entirely separate from this proposal. He added that the issue of holiday pay needs to be addressed through the Parks Committee with the Parks Department Board.

Councillor Gray stated that he was under the impression that this pool would be paid for by tax increment financing (TIF) funds. Ann Lathrop, City Controller, stated that the pool will be financed with City Cumulative funds and is not funded through a TIF district. She stated that TIF funds were used to finance road improvements in that general area, but were not intended to be used for this project.

The President called for public testimony at 8:15 p.m.

Shane Brinkman, president of the Parks Employees Union, stated that employees still have all major holidays off with pay. He added that Sahn pool is in dire need of repair and he supports this proposal.

Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 109, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 109, 1999 was retitled FISCAL ORDINANCE NO. 27, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) transferring and appropriating an additional Eight Hundred Thousand (\$800,000) in the County Cumulative Capital Development Fund for the purposes of the Department of Capital Asset Management and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (1) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes reallocating funds from the City Cumulative Capital Development Fund to the County Cumulative Capital Development Fund.

SECTION 2. The sum of Eight Hundred Thousand Dollars (\$800,000) 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 additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>CONSOLIDATED</u> <u>COUNTY CUMULATIVE</u> <u>CAPITAL IMPROVEMENT FUND</u>
4. Properties and Equipment	800,000
TOTAL INCREASE	800,000

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

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>CITY CUMULATIVE</u>
<u>ASSET MANAGEMENT DIVISION</u>	<u>CAPITAL IMPROVEMENT FUND</u>
4. Properties and Equipment	<u>800,000</u>
TOTAL REDUCTION	800,000

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

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 727, 1998. Councillor Smith reported that the Regulatory Research and Review Committee heard Proposal No. 727, 1998 on December 8, 1998. The proposal received an indecisive vote in Council on December 14, 1998 and was postponed in Council on January 4, 1999. The proposal was postponed in Committee on January 12, 1999 and heard again in Committee on February 16, 1999. The proposal amends the Rules of the Council concerning regulatory review procedures. By a 3-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Smith explained that there were some technical amendments made by General Counsel Robert Elrod, and an expiration date of six months was included for the Committee.

Councillor Borst stated that in the spirit of compromise, he can support this proposal with the added provision that the Committee will expire in six months.

Councillor Williams stated that she still does not understand what this Committee does and asked if there are any goals for the next six months. Councillor Smith stated that a lot of loose ends still need to be tied up with regards to the code and regulations. He stated that Mr. Elrod is still reviewing ordinances and making some needed changes.

Councillor Smith moved, seconded by Councillor Short, for adoption. Proposal No. 727, 1998, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 727, 1998 was retitled GENERAL ORDINANCE NO. 22, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 1999

A GENERAL ORDINANCE amending the Rules of the City-County Council by revising Chapter 141 and amending, re-codifying, and readopting Article VIII of Chapter 151.

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

SECTION 1. The Revised Code of the Consolidated City and County be, and is hereby, amended by revising Chapter 141 and amending, re-codifying, and readopting Article VIII of Chapter 151, to read as follows:

CHAPTER 141  
ARTICLE II. RULES AND REGULATIONS

**Sec. 141-201. Application.**

Whenever by statute or ordinance, any office, board, or agency of the county or of the consolidated city is delegated authority to adopt regulations, regulations may be adopted only by compliance with the procedures of this chapter, unless a statute specifically provides otherwise. This chapter shall supersede any provision of any other ordinance specifying procedures for adoption of regulations.

**Sec. 141-202. Promulgation of rules and regulations.**

(a) Notice of hearing. Before any rule or regulation is adopted, a notice shall be published in a newspaper of general circulation printed and published in the county at least ten (10) days prior to the date set for a hearing. The notice shall include a statement (i) of the time and place of the hearing, (ii) whether the proposal is to adopt a rule or a regulation, (iii) a general description of the subject matter of the proposed rule or regulation, and (iv) reference to the fact that a copy of the proposed rule or regulation is on file in the office of the agency and in the office of the clerk of the council where it may be examined. No rule or regulation shall be invalid solely because the reference to the subject matter thereof in such notice is inadequate or insufficient.

(b) Regulatory impact statement. No later than first publication under subsection (a), the regulatory impact statement required by ~~section 147-13~~ Article III shall be filed with the clerk of the council.

(c) If feasible the proposed regulation and the economic impact statement shall be posted on the city home page. Failure to do so shall not invalidate the subsequent adoption of the regulation.

**Sec. 141-203. Filing of proposal.**

At least five (5) copies of a proposed rule or regulation shall be on file in the office of the agency and in the office of the clerk of the council from the date of publication of the notice required by section ~~141-12~~ 202 continuously to the time of the hearing. Any interested persons shall be given an adequate opportunity to examine a copy of the proposed rule or regulation. The clerk of the council shall furnish to each member of the city-county council a copy of each proposed rule or regulation filed in the office of the clerk of the council.

**Sec. 141-204. Hearing.**

On the date set for a hearing on a proposed rule or regulation, any interested party shall be afforded an adequate opportunity to participate in the formulation of the proposed rule or regulation through the presentation of facts or arguments or the submission of written data or facts. All relevant matters presented shall be given full consideration by the agency. All hearings conducted by the agency shall be open to the public. Any person may appear and testify at a hearing, either in person or by a duly authorized representative or attorney.

**Sec. 141-205. Adoption or continuance.**

At the conclusion of a public hearing held pursuant to this section, the agency may adopt such rules and regulations or may provide for the continuation of the hearing as the board may deem appropriate, which further hearings may be held without the requirement of publication notice if the date and time of next consideration is announced concurrently with the decision to continue the hearing.

**Sec. 141-206. Publication.**

After adoption of such rules and regulations, the agency shall publish a notice, once a week for two (2) consecutive weeks after rules and regulations are adopted, that the agency has adopted certain rules and regulations, giving the number of the same and the general title thereof and stating that copies are available for examination in the office of the agency and the office of the clerk of the council. The agency shall file two copies of the rules and regulations with the clerk of the council along with proof of publication.

**Sec. 141-207. Effective date.**

Regulations shall not become effective or enforceable until forty-five (45) days after the date of first publication, unless the mayor proclaims an emergency effective date. During such forty-five-day period, the city-county council may by resolution stay, up to a maximum of ninety (90) days from the date of first publication required by section 141-46 ~~206~~, the taking effect of such regulations for review by the city-county council. The city-county council may by resolution disapprove or reject such regulations, in which latter case the action of the agency in adopting such regulations shall be of no effect. Unless preempted by applicable law, the council may also adopt ordinances on the same subject matter thereby abrogating the agency's authority to adopt the proposed regulations. After complying with the requirements for publication, and if the city-county council has not stayed the taking effect of such regulations or disapproved or rejected them, such regulations as are adopted by the agency shall become effective.

**Sec. 141-208. Alteration of existing rules or regulations.**

(a) In case the agency desires to repeal, rescind or amend any rule or regulation, the same procedures shall be followed as are provided in this section for the promulgation of rules or regulations.

**~~Sec. 151-118. Expiration of proposed regulations.~~**

(a) Regulations subject to this article that either:

- (1) Create a new regulation; or
- (2) Substantially modify a regulation;

shall include a section providing for the expiration of the regulation on a specific date within five (5) years of the date of the effective date of the regulation.

~~(b) Readoption of a regulation, with or without amendment, that contains an expiration provision required by this section subjects that regulation to review under this article.~~

**Sec. 141-209. Enforcement of regulations promulgated under this section.**

A violation of any regulation promulgated under this chapter constitutes a municipal violation. Any person convicted of violating any regulation promulgated under this chapter shall be subject to the general penalty provisions contained in section 103-3 of this Code unless the regulations violated provides for a different or lesser penalty, or an alternative means of enforcement.

**Sec. 141-210. Administrative code.**

(a) The clerk of the council shall be responsible for maintaining and making available to the public the collection of regulations and rules to be titled the Indianapolis Administrative Code.

(b) Before November 1, 1997, all agencies shall file with the clerk a copy of all rules and regulations currently adopted and enforced by the agency. Any rules or regulations not so filed shall be of no force or effect after December 31, 1997.

**Sec. 141-211. Temporary rules or regulations.**

An agency may in case of emergencies or temporary circumstances adopt a rule or regulation which by its terms will expire not more than thirty (30) days after its adoption provided the same is promptly filed with the clerk of the council.

CHAPTER 141  
ARTICLE III. ECONOMIC IMPACT STATEMENT

**Sec. ~~151-111~~ 141-301. Purpose.**

The purpose of this article is to assure that those regulations of the consolidated city and county that have a broad regulatory effect on the lives of citizens, business activities, and development:

- (1) Do not impose costs (on regulated parties, on persons who pay taxes and fees for government services, and consumers of products and services of regulated parties) that exceed the benefits that are realized by the community;
- (2) Achieve the regulatory goal in the least restrictive way;
- (3) Do not duplicate existing standards found in either local, state, or federal codes and do not exceed existing federal or state standards unless there is a significant reason to do so;
- (4) Are simply written; and
- (5) Are practically enforceable.

To achieve these purposes, this ~~article~~ chapter establishes procedures for making such proposed regulations subject to informed and open public discussion and debate that is led by elected councillors and involves representatives of affected interests, including the interests of neighborhoods, business, regulated parties, customers of regulated parties, taxpayers, and the applicable regulatory agency.

**Sec. ~~151-113~~ 141-302. Measuring the economic impact of regulations.**

No regulation subject to this article may be considered for adoption by an agency or official ~~and no proposal for an ordinance which is subject to this article may be introduced before the council~~ until a regulatory impact statement containing the following information has been filed with the clerk of the council:

- (1) A statement of the specific problem being addressed by the proposed regulation.
- (2) A statement of the specific outcome that is desired, and the clear standards by which that outcome is measured.
- (3) A statement asserting that the proposal or regulation does, or does not, duplicate existing local, state or federal laws or regulations, and if so, why duplication is justified.
- (4) A statement setting forth the costs of increased stringency to affected groups including regulated parties, those who pay taxes and fees for government services, and consumers of products and services of regulated parties.
- (5) Identification of steps taken to achieve the desired outcome through market-based or other non-regulatory approaches and a discussion of why such is not possible or feasible
- (6) A statement demonstrating that reasonable efforts have been made to identify and contact individuals and organizations that will be impacted by adoption of the proposal or regulation.

**Sec. ~~151-114~~. Notification of proposed regulations.**

~~(a) Whenever any office or agency has drafted proposed regulations which by statute or ordinance are subject to review or approval by the council, not later than the date of final publication of notice that the official or agency proposes to consider the adoption of such regulations, the official or agency shall file a copy of the proposed regulations and the regulatory impact statement required by Sec. 151-113 with the clerk of the council.~~

~~(b) The information required by this section, and any supplementary information, shall be available to all members to the council and to members of the public.~~

~~Sec. 151-115. Council review of regulations; time for review.~~

~~(a) Upon the adoption of any regulation subject to this article, the officer or agency adopting such regulation shall file with the clerk of the council (i) thirty five (35) copies of the regulation as adopted, (ii) thirty five (35) copies of the regulatory impact statement with any changes reflecting the regulation as adopted, and (iii) thirty five (35) copies of a summary of any comments made by individuals and organizations identified under paragraph (6) of Sec. 151-113 above.~~

~~(b) Notwithstanding what is stated elsewhere in this Code, the time period for council review of regulations subject to this article shall be sixty (60) days from the date the proposed regulation is filed with the clerk of the council.~~

CHAPTER 151  
ARTICLE VIII. REGULATORY REVIEW PROCEDURES

**Sec. 151-446 801. Functions of the regulatory research and review committee.**

The regulatory research and review committee shall:

- (1) Review existing regulations that are subject to ~~this article~~ chapter 141 to determine if such regulations ~~or ordinances~~ comply with the purposes set forth in Section 151-441 ~~141-301~~;
- (2) Examine this Code, formulate a schedule under which current regulations subject to this article are assigned an expiration date to allow orderly future review under this article, and recommend a proposed ordinance adopting such schedule;
- ~~(3) Recommend an ordinance to establish uniform procedures for adopting regulations and establishing a permanent, centralized filing and codification method for all regulations subject to this article; and~~
- ~~(34) Adopt a threshold standard and procedure for exempting from formal review proposals or regulations subject to this article that:~~
  - (i) make only technical or minor amendments to current ordinance or regulatory provisions,
  - (ii) would only adopt a required state or federal code standard, or
  - (iii) would have an insignificant economic impact;
- (4) Monitor and review proposed regulations filed with the clerk pursuant to chapter 141 to assure that economic impact statements are prepared and the procedures of that chapter are followed; and
- (5) Review and supervise the continuing editing of this revised code and the administrative code, including the electronic versions and their distribution.

**Sec. 151-802. Regulatory impact statement for ordinances.**

No proposal for an ordinance (except those excluded by section 151-803) may be introduced before the council until a regulatory impact statement containing the following information has been filed with the clerk of the council:

- (1) A statement of the specific problem being addressed by the proposed regulation.
- (2) A statement of the specific outcome that is desired, and the clear standards by which that outcome is measured.
- (3) A statement asserting that the proposal or regulation does, or does not, duplicate existing local, state or federal laws or regulations, and if so, why duplication is justified.

- (4) A statement setting forth the costs of increased stringency to affected groups including regulated parties, those who pay taxes and fees for government services, and consumers of products and services of regulated parties.
- (5) Identification of steps taken to achieve the desired outcome through market-based or other non-regulatory approaches and a discussion of why such is not possible or feasible
- (6) A statement demonstrating that reasonable efforts have been made to identify and contact individuals and organizations that will be impacted by adoption of the proposal or regulation.

**Sec. 151-~~412~~ 803. Application.**

This article does not apply to fiscal ordinances, rezoning ordinances, special ordinances, or general ordinances

- (i) that define rules of council,
- (ii) that govern the way local government is organized,
- (iii) that govern the compensation or terms of employment of employees of the city or county, or
- (iv) that govern parking, vehicle weight restrictions, traffic flow, and similar matters.

**Sec. 151-~~417~~ 804. Expiration of proposed ordinances.**

- (a) Proposals subject to this article that either:
  - (1) Create a new chapter in this Code, or
  - (2) Substantially modify a chapter in this Code;

shall include a section providing for the expiration of the chapter on a specific date within five (5) years of the date of the adoption of the ordinance proposal by the council.

(b) A proposal to readopt an ordinance, with or without amendment, that contains an expiration provision required by this section subjects that proposal to review under this article.

**Sec. 151-~~419~~ 805. Review of current ordinances that expire.**

A proposal to readopt an ordinance, with or without amendment, to which an expiration date has been assigned by council ordinance, subjects that proposal to review under this article.

**Sec. 151-~~420~~ 806. Expiration.**

This article shall expire ~~two (2) years~~ six (6) months from the date of its adoption.

PROPOSAL NO. 46, 1999. Councillor Franklin reported that the Community Affairs Committee heard Proposal No. 46, 1999 on February 10, 1999. The proposal 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded by Councillor Coughenour, for adoption. Proposal No. 46, 1999 was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Bradford, Brents, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley

0 NAYS:

7 NOT VOTING: Black, Cockrum, Golc, Massie, Moores, Tilford, Williams

Proposal No. 46, 1999 was retitled FISCAL ORDINANCE NO. 28, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 124, 1998) transferring and appropriating an additional Eleven Thousand Dollars (\$11,000) in the County General Fund for purposes of the County Auditor and Cooperative Extension Service 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 (b, dd) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to move a part time 4-H Assistant from a contractual to part time employee.

SECTION 2. The sum of Eleven Thousand Dollars (\$11,000) 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 AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services-Fringes	842
 <u>COOPERATIVE EXTENSION SERVICE</u>	
1. Personal Services	<u>10,158</u>
TOTAL INCREASE	11,000

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

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>11,000</u>
TOTAL DECREASE	11,000

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

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 111-121, 123, 125, and 126, 1999 on February 16, 1999. He asked for consent to vote on Proposal Nos. 112-121, 1999 together. Consent was given.

PROPOSAL NO. 112, 1999. The proposal, sponsored by Councillor Brents, authorizes intersection controls for Alabama Street and Wabash Street (District 16). PROPOSAL NO. 113, 1999. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Green Braes Drive and Potters Pike (District 1). PROPOSAL NO. 114, 1999. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at 62nd Street and Cooper Road (Districts 1, 9). PROPOSAL NO. 115, 1999. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Fishback Road and Wilson Road (District 1). PROPOSAL NO. 116, 1999. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Candle Court and Flame Way (District 1). PROPOSAL NO. 117, 1999. The proposal, sponsored by

Councillor O'Dell, authorizes a multi-way stop at Audubon Road and Beechwood Avenue (District 13). PROPOSAL NO. 118, 1999. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 18th Street and Winfield Avenue (District 16). PROPOSAL NO. 119, 1999. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Doris Drive and Furman Avenue (District 18). PROPOSAL NO. 120, 1999. The proposal, sponsored by Councillor Gray, authorizes a multi-way stop at 58th Street and Manning Road (District 9). PROPOSAL NO. 121, 1999. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at 12th Street and Somerset Avenue (District 17). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 112-121, 1999 were adopted on the following roll call vote; viz:

*23 YEAS: Borst, Boyd, Bradford, Cockrum, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*

*0 NAYS:*

*6 NOT VOTING: Black, Brents, Coonrod, Dowden, Moriarty Adams, Williams*

Proposal No. 112, 1999 was retitled GENERAL ORDINANCE NO. 23, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	Alabama St Wabash St	Alabama St	Stop

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

Proposal No. 113, 1999 was retitled GENERAL ORDINANCE NO. 24, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1999

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>
8	Green Braes Dr Potters Pike	Potters Pike	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>
8	Green Braes Dr Potters Pike	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. 114, 1999 was retitled GENERAL ORDINANCE NO. 25, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1999

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>
10	62nd St Cooper Rd	62nd St	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>
10	62nd St Cooper Rd	None	All Way Stop

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

Proposal No. 115, 1999 was retitled GENERAL ORDINANCE NO. 26, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1	Fishback Rd, Wilson Rd	None	All Way Stop

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

Proposal No. 116, 1999 was retitled GENERAL ORDINANCE NO. 27, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1999

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>
16	Candle Ct, Flame Way	Candle Ct	Yield

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>
16	Candle Ct, Flame Way	Candle Ct	Stop

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

Proposal No. 117, 1999 was retitled GENERAL ORDINANCE NO. 28, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1999

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>
26	Audubon Rd, Beechwood Av	Audubon Rd	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>
26	Audubon Rd, Beechwood Av	None	All Way Stop

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

Proposal No. 118, 1999 was retitled GENERAL ORDINANCE NO. 29, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1999

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>
24	18th St, Winfield Av	Winfield 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>
24	18th St, Winfield Av	None	All Way Stop

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

Proposal No. 119, 1999 was retitled GENERAL ORDINANCE NO. 30, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 1999

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>
22	Doris Dr. Furman Av	Doris Dr	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>
22	Doris Dr, Furman Av	None	All Way Stop

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

Proposal No. 120, 1999 was retitled GENERAL ORDINANCE NO. 31, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 1999

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>
10	58th St, Manning Rd	58th St	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>
10	58th St, Manning Rd	None	All Way Stop

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

Proposal No. 121, 1999 was retitled GENERAL ORDINANCE NO. 32, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 1999

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>
23	12 <sup>th</sup> St, Somerset Av	Somerset 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>
23	12 <sup>th</sup> St, Somerset Av	None	All Way Stop

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

PROPOSAL NO. 111, 1999. The proposal, sponsored by Councillor Brents, authorizes a traffic signal for the Indiana Convention Center Drive and West Street (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President asked if this signal will be synchronized with other signals on West Street. George Lynch, Executive Assistant, Department of Capital Asset Management (DCAM), stated that it will be activated and synchronized. The President asked when it will be installed. Mr. Lynch stated that it will be installed this year.

Councillor Gilmer stated that this light will also serve pedestrians trying to cross the street to the baseball stadium.

Councillor Coughenour asked if the signal can be both activated and synchronized at the same time. Dennis Neidigh, Director of DCAM, stated that with the new fiber-optic cable system that became operational last October, it is possible to do both.

Councillor McClamroch asked at what times of the day the signal will be flashing instead of fully operational. Mr. Neidigh stated that he does not know the specific times, but that he will get back to Councillor McClamroch with the answer.

Councillor Borst stated that the only entrance at that intersection is to the loading docks of the convention center, and with a solid median, such a light would only service trucks leaving the parking lot, not entering. Mr. Neidigh stated that the project also includes plans to modify the median to allow both exits and entrances at that location.

Councillor Curry stated that this seems like another traffic problem that is not needed. He stated that there are still questions that need to be answered.

Councillor McClamroch moved, seconded by Councillor Curry, to postpone Proposal No. 111, 1999 until March 15, 1999, so that some questions can be answered. Proposal No. 111, 1999 was postponed by a unanimous voice vote.

Councillor Gilmer asked for consent to vote on Proposal Nos. 123, 1999, as amended, and Proposal Nos. 125 and 126, 1999 together. Consent was given.

PROPOSAL NO. 123, 1999. The proposal, sponsored by Councillor Black, authorizes parking restrictions for the Indiana State Fairgrounds (District 6). PROPOSAL NO. 125, 1999. The proposal, sponsored by Councillor Brents, authorizes two-hour parking meters on St. Clair Street from Illinois Street to Pierson Street and no parking anytime on St. Clair Street between Meridian Street and Pierson Street (District 16). PROPOSAL NO. 126, 1999. The proposal, sponsored by Councillor Brents, authorizes a change in the one-way southbound to a one-way northbound restriction for Hudson Street from Ohio Street to New York Street (District 16). By 8-0 votes, the Committee reported Proposal No. 123, 1999 to the Council with the recommendation that it do pass as amended and Proposal Nos. 125 and 126, 1999 to the full Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 123, 1999, as amended, and Proposal Nos. 125 and 126, 1999 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Borst, Bradford, Williams*

Proposal No. 123, 1999, as amended, was retitled GENERAL ORDINANCE NO. 33, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-123. Parking prohibited at all times on specified days.

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. 621-123, Parking prohibited at all times on specified days, be and the same is hereby amended by the addition of the following, to wit:

PROHIBITED ON STATE FAIR DAYS  
SCHEDULED BY THE INDIANA STATE FAIR BOARD

*42<sup>nd</sup> Street*, on both sides, from College Avenue to Evanston Avenue

*Alley east of Winthrop Avenue*, on both sides, from 38<sup>th</sup> Street to 40<sup>th</sup> Street

*Coliseum Avenue*, on both sides, from Fairfield Avenue to 38<sup>th</sup> Street

February 22, 1999

*Fairfield Avenue*, on both sides, from Monon Trail to Woodland Avenue

*Ralston Avenue*, on the east side, from 42<sup>nd</sup> Street to 46<sup>th</sup> Street

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

Proposal No. 125, 1999 was retitled GENERAL ORDINANCE NO. 34, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1999

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

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 meters zones designated, be, and the same is hereby amended by the deletion of the following, to wit:

TWO-HOUR PARKING METERS

*St. Clair Street*, on the south side, from Illinois Street to Meridian Street

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

TWO-HOUR PARKING METERS

*St. Clair Street*, on the south side, from Illinois Street to Pierson Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times in certain designated streets, be, the same is hereby amended by the addition of the following, to wit:

*St. Clair Street*, on the south side, from Pierson Street to Meridian Street

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

Proposal No. 126, 1999 was retitled GENERAL ORDINANCE NO. 21, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-341, One-way streets and alleys.

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. 441-341, One-way streets and alleys, be, and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND

*Hudson Street*, from Ohio Street to New York Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-341, One-way streets and alleys, be. and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND

*Hudson Street, from Ohio Street to New York Street*

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

**POLICE SPECIAL SERVICE DISTRICT COUNCIL  
SPECIAL ORDERS - PUBLIC HEARING**

The President convened the Police Special Service District Council.

PROPOSAL NO. 100, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 100, 1999 on February 10, 1999. The proposal approves an increase of \$14,500 in the 1999 Budget of the Department of Public Safety, Police Division (Police Service District Fund) for developing "Wake Up Clubs" for IPS 7th and 8th grade students financed by a grant from Conseco Services, LLC. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:03 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 100, 1999, as amended, was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Borst, Franklin, Gray, SerVaas*

Proposal No. 100, 1999, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1999, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1999

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Budget for 1999 (Police Special Service District Ordinance No. 8, 1998) appropriating an additional Fourteen Thousand Five Hundred Dollars (\$14,500) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT 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 of the Police Special Service District Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for developing "Wake Up Clubs" for 7<sup>th</sup> and 8<sup>th</sup> grade students in IPS schools.

SECTION 2. The sum of Fourteen Thousand Five Hundred Dollars (\$14,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
2. Supplies	5,000
3. Other Services and Charges	7,500
4. Capital Outlay	<u>2,000</u>
TOTAL INCREASE	14,500

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

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered	
Police Service District Fund	<u>14,500</u>
TOTAL REDUCTION	14,500

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.

The President reconvened the City-County Council.

#### NEW BUSINESS

Councillor Short recognized Center Township Trustee Carl Drummer, who joined the meeting after guests were introduced.

Councillor Short moved to strike Proposal No. 628, 1998 and remove it from the Pending Proposal list. PROPOSAL NO. 628, 1998. The proposal, sponsored by Councillor Short, amends Sec. 996-62 by limiting the length of stretch limousines. Councillor Schneider seconded the motion, and Proposal No. 628, 1998 was stricken by a unanimous voice vote.

#### ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Dowden in memory of Christo Mocas; and
- (2) Councillor Coughenour in memory of E. Allen Hunter.

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 Christo Mocas and E. Allen Hunter. 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 9:05 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 22nd day of February, 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)