

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

**REGULAR MEETINGS
MONDAY, FEBRUARY 26, 1990**

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 26, 1990, with Councillor SerVaas presiding.

Councillor Borst 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:

26 PRESENT: Borst, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
3 ABSENT: Boyd, Howard, Ruhmkorff

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

Councillors Boyd and Howard arrived shortly after roll call.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Curry introduced Antja Schultz, a representative of the Citizens Committee in Cologne, Germany.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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 that 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 26, 1990, 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
Beurt SerVaas, President
City-County Council

February 13, 1990

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL 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 Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, January 25, 1990, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 92, 93 and 94, 1990, to be held on Monday, February 26, 1990, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Beverly S. Rippy
Beverly S. Rippy, City Clerk

February 12, 1990

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL 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, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 6, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seventy-three Thousand Sixty Dollars, (\$73,060) in the Manpower Federal Programs Fund for purposes of the Occupational and Community Services Division and reducing certain other appropriations from the Department of Administration, Office of the Director, City General Fund.

FISCAL ORDINANCE NO. 7, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Million Three Hundred Twenty Thousand Seventy-nine Dollars (\$2,320,079) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 8, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seven Hundred Fifty Thousand Dollars (\$750,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Office of the Director, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 9, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Nine Hundred Eighty-four Thousand Four Hundred Ten Dollars (\$984,410) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety Police Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

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FISCAL ORDINANCE NO. 10, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Ten Thousand Dollars (\$110,000) in the County General Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 11, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Million Four Hundred Ninety-three Thousand Three Hundred Eighty-two Dollars (\$1,493,382) in the Metropolitan Emergency Communications Fund for purposes of the Metropolitan Emergency Communications Agency, and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Fund.

FISCAL ORDINANCE NO. 12, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Million Two Hundred Ninety-three Thousand Eight Hundred Thirty-seven Dollars (\$1,293,837) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Office of the Director, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 13, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Million Eight Hundred Sixty-five Thousand Ninety-three Dollars (\$2,865,093) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Flood Control Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 14, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 15, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Million Two Hundred Thousand Dollars (\$1,200,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 16, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Million One Hundred Seventy-two Thousand One Hundred Fifty Dollars (\$2,172,150) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Transportation, Finance and Administration Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 17, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Three Million Three Hundred Fifty Thousand One Hundred Eighty Dollars (\$3,350,180) in the City Cumulative Capital Development Fund for purposes of the Department of Transportation, Finance and Administration Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

GENERAL ORDINANCE NO. 9, 1990, amending a section of the Code dealing with additional duties and responsibilities of the Marion County Justice Agency Board.

GENERAL ORDINANCE NO. 10, 1990, amending the section of the Code dealing with the imposition of application and renewal fees for Industrial Discharge Permits.

GENERAL ORDINANCE NO. 11, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 12, 1990, amending the "Code of Indianapolis, and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 13, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 14, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-135, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 15, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 16, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

GENERAL ORDINANCE NO. 17, 1990, amending the "Code of Indianapolis and Marion, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO 18, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 19, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-332, Bus stop and trolley zones.

GENERAL ORDINANCE NO. 20, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

SPECIAL ORDINANCE NO. 2, 1990, authorizing the issuance of Indianapolis Economic Development Revenue Bonds, Series 1990, (National Benevolent Association - Robin Run Village Project) in an aggregate principal amount not to exceed \$11,000,000 to be used to finance the acquisition, construction, installation and equipping of a three-story, multi-wing, brick, and frame apartment and office building and related facilities to be built in two phases, and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 7, 1990, congratulating the Arsenal Technical High School Titans.

SPECIAL RESOLUTION NO. 8, 1990, congratulating South East 70001.

SPECIAL RESOLUTION NO. 9, 1990, amending City-County Special Resolution No. 48, 1989, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 10, 1990, amending City-County Special Resolution No. 49, 1989, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

ADOPTION OF THE AGENDA

Councillor Borst moved, seconded by Councillor West, to amend the Agenda by placing Proposal No. 127, 1990 on the Agenda for final adoption. This motion passed by unanimous voice vote.

The President proposed the adoption of the agenda as distributed with the change previously approved. Without objection, the agenda as modified was adopted.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of February 5, 1990. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 133, 1990. This proposal congratulates Eagle Scout Ross D. Fane. Councillor Golc read the resolution and presented a framed document to Eagle Scout Fane,

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who expressed his appreciation for the recognition. His parents, John and Martha Fane, and Eagle Scout Bob Easley were also present. Councillor Golc moved, seconded by Councillor Williams, for adoption. Proposal No. 133, 1990, was adopted by unanimous voice vote.

Proposal No. 133, 1990, was retitled SPECIAL RESOLUTION NO. 11, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 1990

A SPECIAL RESOLUTION congratulating Eagle Scout Ross D. Fane.

WHEREAS, Ross D. Fane, a freshman at Cardinal Ritter High School, has been active in scouting for several years; and

WHEREAS, Ross began as a cub scout, progressed to boy scouts in Troop 400 where he has earned thirty-one merit badges, was the first scout in twenty-two years from that troop to attend the National Jamboree, and has held numerous troop positions; and

WHEREAS, on January 28, 1990 Ross became an Eagle Scout; and

WHEREAS, he is a motivated young man even beyond scouting, having been the local and state chairman of the Children of the American Revolution organization, has played soccer in the Speedway Youth Soccer League for nine years, is on the Ritter High School wrestling team, and is a carrier for the Indianapolis News; now, therefore:

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

SECTION 1. The Indianapolis City-County Council congratulates Ross D. Fane for his Eagle Scout accomplishment.

SECTION 2. The Council wishes Ross the best of success in his future years of scouting and in life.

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. 134, 1990. This proposal recognizes environmental initiatives taken by Marsh Supermarkets, Inc. Councillor Williams introduced Don Marsh, Marsh Supermarkets, Inc., and Beth Bugbee, Indianapolis Clean Cities Committee. Ms. Bugbee applauded Marsh Supermarkets' lead in environmental issues and stated that Indianapolis received the Cleanest City in America award in 1978 and 1988 and also a national recycling award for 1988 and 1989. Councillor Coughenour read the resolution and presented a framed copy of the document to Mr. Marsh. Mr. Marsh expressed his appreciation for the recognition. Councillor Williams moved, seconded by Councillor Coughenour, for adoption. Proposal No. 134, 1990, was adopted by unanimous voice vote.

Proposal No. 134, 1990, was retitled SPECIAL RESOLUTION NO. 12, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1990

A SPECIAL RESOLUTION recognizing environmental initiatives by Marsh Supermarkets, Inc.

WHEREAS, individuals, businesses and government now face unprecedented challenges in becoming better stewards of our environment; and

WHEREAS, Marsh Supermarkets, Inc. has made a business decision to take an active lead in environmentally responsible projects; and

WHEREAS, these projects include using photodegradable grocery bags, recycling cardboard shipping boxes, actively participating with the Indianapolis Clean City Committee's recycling programs, encouraging food manufacturers to reduce the amount of packaging and to use more recycled packaging products, and initiating a public education and advertisement effort about environmental awareness; 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 resolves that the public and private sectors, as well as individuals, must be increasingly concerned about the environment and make efforts to reduce the amount of waste which is generated.

SECTION 2. The Council further notes and commends Marsh Supermarkets, Inc. for its efforts toward a better, more healthy environment.

SECTION 3. The Council urges others to emulate this enlightened decision by Marsh and to take active steps to help improve the environment.

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. 127, 1990. This proposal concerns the Circle Centre Mall Project. Councillor Borst stated that he did not see a need to have a hearing on this proposal before the Metropolitan Development Committee because Councillor Mukes-Gaither has already asked Mike Higbee, Director of the Department of Metropolitan Development, for quarterly reports on Circle Centre Mall. Mr. Higbee stated that he will provide quarterly reports to the Metropolitan Development Committee. Councillor Golc stated that he introduced Proposal No. 127, 1990, and agreed that a committee hearing is not necessary. Councillor Borst moved, seconded by Councillor West, for adoption. Proposal No. 127, 1990, was adopted by unanimous voice vote.

Proposal No. 127, 1990, was retitled COUNCIL RESOLUTION NO. 24, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 1990

A COUNCIL RESOLUTION concerning the Circle Centre Mall Project.

WHEREAS, the Circle Centre Mall Project in downtown Indianapolis is the largest redevelopment project in the city's history; and

WHEREAS, the magnitude of this multi-year, billion dollar public and private undertaking is difficult to comprehend for people who are not directly involved with its day-to-day planning and execution; and

WHEREAS, as elected part-time citizen members of the legislative branch of Indianapolis government, City-County Councillors are often asked by constituents about various aspects of this major downtown redevelopment project; 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 needs to be kept apprised of the progress of Indianapolis' Circle Centre Mall Project for constituent communication.

SECTION 2. The Council requests that the Indianapolis Department of Metropolitan Development provide all Councillors with updated written information containing facts, statistics and comments addressing at least the following subject areas:

- * tax increment financing monies
- * the names of whom contracts have been granted and bid winners
- * list of current Mall contractors

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- * current phase and progress of the Project
- * known or estimated completion dates of phases
- * any known or anticipated cost overruns
- * any new changes in direction of the Project
- * any changes in size and square footage
- * known and any anticipated changes in tenants
- * any additional summary comments, notes and observations

SECTION 3. These reports shall be in layman's comprehensible executive summary format and may contain additional supplemental attachments, including maps.

SECTION 4. These reports to the City-County Council shall be prepared quarterly during the months of March, June, September and December in the years 1990 and 1991.

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

PROPOSAL NO. 135, 1990. This proposal concerns White River State Park. Councillor Golc stated that this proposal urges the legislative and executive branches of Indiana's state government to do whatever is possible to continue the progress of Indiana's first urban state park. Councillor Golc moved, seconded by Councillor Williams, for adoption. Proposal No. 135, 1990, was adopted by unanimous voice vote.

Proposal No. 135, 1990, was retitled SPECIAL RESOLUTION NO. 13, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1990

A SPECIAL RESOLUTION concerning White River State Park.

WHEREAS, The State of Indiana has twenty state parks with 56,000 acres, none of which is located in the state's capital city; and

WHEREAS, the State of Indiana has nine state reservoirs with 150,000 acres of land and water, none of which is in the state's most populous city which contains nearly fifteen percent of Indiana's people, over fifteen percent of the state's households, thirty-five percent of the minority population, and fourteen percent of all Hoosiers age 65 and over; and

WHEREAS, for several years the people of Indianapolis have sought to develop Indiana's first urban park, the modest 250 acre White River State Park; 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 notes with great pride the progress already made in the short life of the White River State Park; namely the new Indianapolis Zoo, the Eiteljorg Museum and the National Institute for Fitness and Sport.

SECTION 2. The Council additionally observes that fairness would dictate that the state's largest city deserves at least one state park, and that in an urban setting, such a park may take longer to develop and may be unconventionally bold, different and more progressive than the state's older parks.

SECTION 3. The Council urges the legislative and executive branches of Indiana's state government to expeditiously do whatever is possible to continue the progress of Indiana's first urban state park.

SECTION 4. The Mayor is invited to join 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 NOS. 32, 37, 38, 39, 85, 86, 87, 88, 89, 97, 98, 99 and 102, 1990. President SerVaas stated that unless there were objections, all these appointments would be voted on together. There were no objections. PROPOSAL NO. 32, 1990. This proposal reappoints Ray Battey to the Administrative Board. The Administration Committee heard Proposal No.

32, 1990, on February 12, 1990. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 37, 1990. This proposal appoints Michael McQuillen to the Public Housing Advisory Council. The Community Affairs Committee heard Proposal No. 37, 1990, on February 6, 1990. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Strader, to amend Proposal No. 37, 1990, as follows: In Section 2, delete the date December 30, 1990 and insert in lieu thereof the date December 31, 1991. This motion passed by unanimous voice vote. PROPOSAL NO. 38, 1990. This proposal appoints A. Douglas Stephens to the Public Housing Advisory Council. The Community Affairs Committee heard Proposal No. 38, 1990, on February 6, 1990. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 39, 1990. Councillor West asked for consent to strike Proposal No. 39, 1990. Consent was given. PROPOSAL NO. 85, 1990. This proposal reappoints Dwight Cottingham to the Marion County Board of Tax Adjustment. The Administration Committee heard Proposal No. 85, 1990, on February 12, 1990. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 86, 1990. This proposal reappoints Donald J. Hargadon to the Cable Franchise Board. The Administration Committee heard Proposal No. 86, 1990, on February 12, 1990. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 87, 1990. This proposal reappoints Edward R. Buckley to the Metropolitan Development Commission. The Metropolitan Development Committee heard Proposal No. 87, 1990, on February 20, 1990. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 88, 1990. This proposal reappoints Michael W. Rodman to the Metropolitan Development Commission. The Metropolitan Development Committee heard Proposal No. 88, 1990, on February 20, 1990. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 89, 1990. This proposal appoints Donald F. Elliott, Jr. to the Metropolitan Development Commission. The Metropolitan Development Committee heard Proposal No. 89, 1990, on February 20, 1990. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 97, 1990. This proposal appoints Elliott Nelson to the Public Safety Board. The Public Safety and Criminal Justice Committee heard Proposal No. 97, 1990, on February 7, 1990. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 98, 1990. This proposal reappoints Thomas Hale to the Public Works Board. The Public Works Committee heard Proposal No. 98, 1990, on February 15, 1990. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 99, 1990. This proposal reappoints Jack H. Hall, M.D. to the Public Works Board. The Public Works Committee heard Proposal No. 99, 1990, on February 15, 1990. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 102, 1990. This proposal reappoints Howard Howe to the Transportation Board. The Transportation Committee heard Proposal No. 102, 1990, on February 21, 1990. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West moved, seconded by Councillor Borst, for adoption. Proposal Nos. 32, 37, as amended, 38, 85, 86, 87, 88, 89, 97, 98, 99 and 102, 1990, were adopted by unanimous voice vote.

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Councillor Williams challenged Councillor West and any others who would make recommendations for appointments to boards and commissions to nominate people who are more representative of the community as a whole.

Proposal No. 32, 1990, was retitled COUNCIL RESOLUTION NO. 25, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1990

A COUNCIL RESOLUTION reappointing Ray Battey to the Administrative 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 Administrative Board, the Council appoints:

Ray Battey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 37, 1990, was retitled COUNCIL RESOLUTION NO. 26, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1990

A COUNCIL RESOLUTION appointing Michael McQuillen to the Public Housing Advisory Council.

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 Public Housing Advisory Council, the Council appoints:

Michael McQuillen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 38, 1990, was retitled COUNCIL RESOLUTION NO. 27, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1990

A COUNCIL RESOLUTION appointing A. Douglas Stephens to the Public Housing Advisory Council.

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 Public Housing Advisory Council, the Council appoints:

A. Douglas Stephens

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 85, 1990, was retitled COUNCIL RESOLUTION NO. 28, 1990, and reads as follows:

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CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1990

A COUNCIL RESOLUTION reappointing Dwight Cottingham to the Marion County Board of Tax Adjustment.

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

SECTION 1. As a member of the Marion County Board of Tax Adjustment, the Council reappoints:

Dwight Cottingham

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 86, 1990, was retitled COUNCIL RESOLUTION NO. 29, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1990

A COUNCIL RESOLUTION reappointing Donald J. Hargadon to the Cable Franchise Board.

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

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

Donald J. Hargadon

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 87, 1990, was retitled COUNCIL RESOLUTION NO. 30, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 1990

A COUNCIL RESOLUTION reappointing Edward R. Buckley to the Metropolitan Development Commission.

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

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

Edward R. Buckley

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 88, 1990, was retitled COUNCIL RESOLUTION NO. 31, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 1990

A COUNCIL RESOLUTION reappointing Michael W. Rodman to the Metropolitan Development Commission.

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

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

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Michael W. Rodman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 89, 1990, was retitled COUNCIL RESOLUTION NO. 32, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 1990

A COUNCIL RESOLUTION appointing Donald F. Elliott, Jr. to the Metropolitan Development Commission.

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

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

Donald F. Elliott, Jr.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 97, 1990, was retitled COUNCIL RESOLUTION NO. 33, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 1990

A COUNCIL RESOLUTION appointing Elliott Nelson to the Public Safety 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 Public Safety Board, the Council appoints:

Elliott Nelson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 98, 1990, was retitled COUNCIL RESOLUTION NO. 34, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 1990

A COUNCIL RESOLUTION reappointing Thomas Hale to the Public Works 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 Public Works Board, the Council reappoints:

Thomas Hale

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 99, 1990, was retitled COUNCIL RESOLUTION NO. 35, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 1990

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Public Works 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 Public Works Board, the Council reappoints:

Jack H. Hall, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 102, 1990, was retitled COUNCIL RESOLUTION NO. 36, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1990

A COUNCIL RESOLUTION reappointing Howard Howe to the Transportation 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 Transportation Board, the Council reappoints:

Howard Howe

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 118, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Joseph M. Rink to the Cable Franchise Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 119, 1990. Introduced by Councillors West and Moriarty. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Sue Shively to the Community Centers of Indianapolis Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 120, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Curtis Coonrod to the Information Service Agency"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 121, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 122, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 123, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Lesa Dietrick to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 124, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mark Gibson to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 125, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan Development Committee.

Clerk's Note: Proposal No. 126, 1990, was withdrawn.

PROPOSAL NO. 127, 1990. Introduced by Councillors Golc, Boyd, Durnil, Hawkins, Howard, Jones, Moriarty, Shaw, Solenberg and Williams. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION concerning the Circle Centre Mall Project"; and the President referred it to the Metropolitan Development Committee.

Clerk's Note: Proposal No. 127, 1990, was moved up on the agenda and was retitled Council Resolution No. 24, 1990.

PROPOSAL NO. 128, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE approving certain public purpose grants for support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 129, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Bruce Melchert to the Marion County Liquor Board"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 130, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Jack W. Bailey to the Transportation Board"; and the President referred it to the Transportation Committee.

Clerk's Note: Proposal No. 130, 1990, was moved up on the agenda and was retitled Council Resolution No. 38, 1990.

PROPOSAL NO. 131, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Brice A. Tressler to the Marion County Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 132, 1990. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at the intersection of Thompson Road and 9th Ave"; and the President referred it to the Transportation Committee.

MODIFICATION OF ORDERS

PROPOSAL NO. 156, 1990. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION concerning 'Project Homeward'"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 117, 1990. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 117, 1990, on February 7, 1990. The proposal approves a First Amendment to Bond Documents for K & F Industries, Inc. relating to previously-issued City of Indianapolis Economic Development Revenue Bonds in the aggregate principal amount of \$3,500,000 for K & F Industries, Inc. dated November 22, 1989 and approving and authorizing other actions in respect thereto. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Gilmer, to amend Proposal No. 117, 1990, due to a technicality. This motion passed by unanimous voice vote. Councillor Schneider moved, seconded by Councillor Moriarty, for adoption. Proposal No. 117, 1990, as amended, was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Brooks, Cottingham, Coughenour, Curry, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, West

0 NAYS:

7 NOT VOTING: Borst, Clark, Dowden, Durnil, Irvin, Strader, Williams

1 NOT PRESENT: Ruhmkorff

Proposal No. 117, 1990, was retitled SPECIAL ORDINANCE NO. 3, 1990, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1990

A SPECIAL ORDINANCE approving a First Amendment to Bond Documents (the "Amendment") for K & F Industries, Inc. (the "Assignor") relating to previously-issued City of Indianapolis Economic Development Revenue Bonds in the principal amount of \$3,500,000 for K & F Industries, Inc. dated November 22, 1989 and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code, Title 36, Article 7, Chapters 11.9 and 12, as supplemented and amended (the "Act"), authorizes and empowers the Issuer to issue revenue bonds and loan the proceeds therefrom to an individual or entity for the purpose of financing the costs of acquisition, construction, installation and equipping of economic development facilities and vests such Issuer with powers that may be necessary to enable it to accomplish such purposes; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") has heretofore issued its Economic Development Revenue Bonds, Series 1989 (K & F Industries, Inc. Project) (the "Series 1989 Bonds"), in the aggregate principal amount of \$3,500,000 pursuant to the Trust Indenture, dated as of November 1, 1989 (the "Indenture"), between the Issuer and Peoples Bank & Trust Company (the "Trustee"); and

WHEREAS, pursuant to the Placement Agency Agreement, dated November 22, 1989, among INB National Bank, through the Municipal Finance Department of its Investment Banking Division and as agent for the Original Purchaser (the "Placement Agent"), the Issuer and the Assignor (the "Placement Agreement"), the Placement Agent agreed to place the Series 1989 Bonds, and GELCO Finance Corporation (the "Original Purchaser") has purchased the Series 1989 Bonds; and

WHEREAS, pursuant to the Loan Agreement, dated as of November 1, 1989 (the "Loan Agreement"), between the Issuer and the Assignor, which Loan Agreement has been assigned by the Issuer to the Trustee (excepting the Unassigned Issuer Rights as defined therein), the Issuer has agreed to loan the proceeds of the Series 1989

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Bonds to the Assignor for the purpose of financing the cost of acquiring, constructing, installing and equipping certain economic development facilities described in Exhibit A to the Indenture (the "Original Project"); and

WHEREAS, in accordance with the Loan Agreement, and pursuant to the terms and provisions of the Credit Agreement, dated November 22, 1989 (the "Credit Agreement"), between INB National Bank (the "Letter of Credit Bank") and the Assignor, the Letter of Credit Bank delivered to the Trustee an irrevocable direct-pay letter of credit (the "Letter of Credit") in amount sufficient for the payment of the principal of, premium, if any, and interest on the Series 1989 Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Assignor of the loan of the proceeds of the Series 1989 Bonds and further provides (a) for the Assignor's repayment obligation to be evidenced by the Assignor's promissory note (the "Project Note"), (b) for such loan Agreement and the Project Note to be secured by the Security Agreement, dated as of November 1, 1989 (the "Security Agreement"), from the Assignor to the Issuer, which Security Agreement has been assigned by the Issuer to the Trustee, and (c) for the Letter of credit to be issued under the Credit Agreement to further secure the series 1989 Bonds (the Loan Agreement, the Indenture, the Series 1989 Bonds, the Project Note, the security Agreement and Tax Regulatory Agreement (as hereinafter defined) sometimes hereinafter collectively referred to as the "Bond Documents"); and

WHEREAS, subject to the terms and conditions of the Amendment, the Assignor intends to transfer and convey all of its right, title and interest in and to the Original Project to a to-be-formed Delaware limited partnership in which the Assignor will be a Forty-nine and one-half percent (49.5%) limited partner and the Assignor will be a one percent (1%) general partner (the "Borrower") pursuant to that certain Transfer Agreement of even date with the Amendment (the "Transfer Agreement") between the Assignor and the Borrower; and

WHEREAS, the Assignor is desirous of assigning all of its rights, title and interest of every kind and nature in and to the Bond Documents to the Borrower and the Borrower is desirous of assuming each and every obligation of the Assignor relating to the Bond Documents; and

WHEREAS, the Indianapolis Economic Development Commission held a public hearing on February 7, 1990 concerning the proposed Amendment at which time no one appeared in opposition to the proposed Amendment; and

WHEREAS, pursuant to and in accordance with the terms of the Amendment and the Bond Documents as modified by the Amendment; the Issuer, the Trustee, the Letter of Credit Bank and the Original Purchaser desire to consent to the transfer of the Original Project to the Borrower and to such assignment and assumption; now, therefore,

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

SECTION 1. It is hereby found that the execution of the Amendment will be of benefit to the health or general welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Amendment presented to this Council is hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Amendment are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Amendment approved herein and any other document which may be necessary or desirable to consummate the transaction only after the Original Purchaser has executed the Amendment, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Amendment approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(10).

SECTION 4. The provisions of this ordinance and the Amendment shall constitute a contract binding between the City of Indianapolis and the parties to the Amendment, and after the execution of the Amendment, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of any such party so long as said Amendment shall remain in effect.

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

PROPOSAL NOS. 136 - 144, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 23, 1990". The Council did not schedule Proposal Nos. 136 - 144,

1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 136 - 144, 1990, were retitled REZONING ORDINANCE NOS. 33 - 41, 1990, and are identified as follows:

REZONING ORDINANCE NO. 33, 1990. 89-Z-248 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT #9
3802 NORTH KENWOOD AVENUE, INDIANAPOLIS
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 0.535 acre, being in the C-S District, to the C-3 classification, to correct a mapping error.

REZONING ORDINANCE NO. 34, 1990. 89-Z-249 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT #19
5301 KENTUCKY AVENUE, INDIANAPOLIS
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 3 acres, being in SU-39 District, to the SU-37 classification, to correct a mapping error.

REZONING ORDINANCE NO. 35, 1990. 89-Z-257 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT #9
120 WEST 38TH STREET, INDIANAPOLIS
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 0.33 acre, being in the C-S District, to the C-3 classification, to correct a mapping error.

REZONING ORDINANCE NO. 36, 1990. 89-Z-258 PERRY TOWNSHIP
COUNCILMANIC DISTRICT #25
8404 SIEAR TERRACE, INDIANAPOLIS
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 1.984 acres, being in the D-7 District, to the C-1 classification, to correct a mapping error.

REZONING ORDINANCE NO. 37, 1990. 90-Z-2 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #10
2519 BROUSE AVENUE, INDIANAPOLIS
W.E. HENRY ENTERPRISES, INC., by Stephen D. Mears, requests the rezoning of 0.16 acre being in the D-5 District, to the C-3 classification, to provide for retail commercial use.

REZONING ORDINANCE NO. 38, 1990. 90-Z-3 WARREN TOWNSHIP
COUNCILMANIC DISTRICT #12
3110 SHADELAND AVENUE, INDIANAPOLIS
GORDON FOOD SERVICE, INC., requests the rezoning of 2.4 acres, being in the C-4 District, to the I-3-S classification to provide for warehouse, wholesale and retail distribution.

REZONING ORDINANCE NO. 39, 1990. 90-Z-4 PERRY TOWNSHIP
COUNCILMANIC DISTRICT #24
5530 GRAY ROAD, INDIANAPOLIS
THE McBRIDE CORPORATION, by John W. Tousley, requests the rezoning of 34.97 acres, being in an A-2 District, to the D-3 classification, to provide for single-family residential development.

REZONING ORDINANCE NO. 40, 1990. 90-Z-5 (AMENDED) CENTER TOWNSHIP
COUNCILMANIC DISTRICT #20
2830 MADISON AVENUE, INDIANAPOLIS
ANDI, INC., by Mary E. Solada, requests the rezoning of 0.25 acre, being in the D-5 District, to the C-4 classification, to provide for parking and landscaping for an existing McDonald's Restaurant.

REZONING ORDINANCE NO. 41, 1990. 90-Z-16 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #17
2810 COLD SPRING ROAD, INDIANAPOLIS
M. MAZEN AYOUBI, AIA requests the rezoning of 15.5 acres, being in the HD-1 District, to the D-5 classification, to provide for the development of single-family residences.

PROPOSAL NOS. 145 - 155, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 23, 1990". The Council did not schedule Proposal Nos. 145 - 155, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 145 - 155, 1990, were retitled REZONING ORDINANCE NOS. 42 - 52, 1990, and are identified as follows:

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REZONING ORDINANCE NO. 42, 1990. 89-Z-220 89-DP-14 (AMENDED) WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT #4
4750 KESSLER BLVD. EAST DRIVE, INDIANAPOLIS
DAVIS BUILDING CORPORATION, by Philip A. Nicely, Esq., requests the rezoning of 29.04 acres, being in the D-6 II District, to the D-P classification, to provide for single-family residential development.

REZONING ORDINANCE NO. 43, 1990. 89-Z-239 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT #3
10130 PENDLETON PIKE, LAWRENCE
BROWNING-FERRIS INDUSTRIES OF INDIANA, INC., by Michael J. Kias, requests the rezoning of 2.319 acres being in the A-2 District to the I-4-S classification, to provide for industrial development accessory to petitioners primary use located to the North.

REZONING ORDINANCE NO. 44, 1990. 90-Z-6 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #21
101 WEST MORRIS STREET, INDIANAPOLIS
BREHOB ELECTRIC, by Stephen D. Mears, requests the rezoning of 3.05 acres, being in the D-5, I-1-U Districts, to the I-3-U classification, to provide for the assembly, service and repair of air compressors.

REZONING ORDINANCE NO. 45, 1990. 90-Z-7 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT #18
1011 NORTH FARLEY DRIVE, INDIANAPOLIS
DENTEAM REALTY COMPANY, by Stephen D. Mears, requests the rezoning of 0.44 acre being in the D-3 District, to the C-3 classification, to provide for retail development integrated with the existing retail center to the north and east.

REZONING ORDINANCE NO. 46, 1990. 90-Z-9 PERRY TOWNSHIP
COUNCILMANIC DISTRICT #24
6825 MADISON AVENUE, INDIANAPOLIS
S. AND W., INC., by James R. Nickels, requests the rezoning of 1.55 acres, being in the D-3 District, to the C-3 classification, to provide for commercial development.

REZONING ORDINANCE NO. 47, 1990. 90-Z-11 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #25
1116 WEST TROY AVENUE, INDIANAPOLIS
CAPITOL CITY CONSERVATION CLUB, INC., by Michael F. Vertesch, request the rezoning of 37.8 acres, being in the C-7, I-3-U, A-2 and I-4-U Districts, to the SU-34 classification, to provide for future development of a conservation club.

REZONING ORDINANCE NO. 48, 1990. 90-Z-13 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT #13
3641 SOUTH POST ROAD, INDIANAPOLIS,
CARL W. RITCHIE, by Stephen D. Mears, requests the rezoning of 32.84 acres, being in the A-2 (D-A) and SU-43 Districts, to the C-4 classification, to provide for commercial development.

REZONING ORDINANCE NO. 49, 1990. 90-Z-14 PERRY TOWNSHIP
COUNCILMANIC DISTRICT #13
2110 SOUTHPORT ROAD (REAR), INDIANAPOLIS
DAVIDSON INDUSTRIES, INC., by Philip A. Nicely, requests the rezoning of 7.47 acres, being in the D-3 District, to the C-7 classification, to provide for future expansion of the existing lumber yard facilities located on subject property.

REZONING ORDINANCE NO. 50, 1990. 90-Z-15 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT #19
6649 MILTON STREET (REAR), INDIANAPOLIS
LUTHER R. CONDRE requests the rezoning of 9 acres, being in the A-2 District, to the SU-10 classification, to permit the expansion of an existing cemetery.

REZONING ORDINANCE NO. 51, 1990. 90-Z-18 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #23
3422 EAST RAYMOND STREET, INDIANAPOLIS
J.L. KALLEEN, JR. requests the rezoning of 2.092 acres, being in the C-4 District, to the SU-1 classification, to provide for the construction of a church.

REZONING ORDINANCE NO. 52, 1990. 90-Z-19 PIKE TOWNSHIP
COUNCILMANIC DISTRICT #8
5401 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS

METROPOLITAN SCHOOL DISTRICT OF PIKE TOWNSHIP requests the rezoning of 17.6 acres, being in the A-2 District, to the SU-2 classification, to provide for the development of an elementary school.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 92, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 92, 1990, on February 7, 1990. The proposal appropriates \$2,000,000 for the County Sheriff to replace worn out fixtures and equipment in the old section of the jail. Councillor Dowden further stated that at the time of the committee hearing the exact amount needed to replace the furniture and equipment was not known. By a 5-0-1 vote, the Committee approved Proposal No. 92, 1990 with the understanding that the amount could be amended downward. Councillor Dowden moved, seconded by Councillor Holmes, to amend Proposal No. 92, 1990 by appropriating the amount of \$1,760,000 for the County Sheriff. This motion passed by unanimous voice vote.

The President called for public testimony at 7:56 p.m.

Carl Moldthan, Indianapolis Taxpayers Association, testified in support of Proposal No. 92, 1990.

Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 92, 1990, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West*

0 NAYS:

1 NOT VOTING: *Williams*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 92, 1990, was retitled FISCAL ORDINANCE NO. 18, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Million Seven Hundred Sixty Thousand Dollars (\$1,760,000) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General 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 2.01(z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to replace worn out fixtures and equipment in the old section of the jail.

SECTION 2. The sum of One Million Seven Hundred Sixty Thousand Dollars (\$1,760,000) 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 appropriations are hereby approved:

COUNTY SHERIFF

3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND

\$1,760,000
\$1,760,000

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SECTION 4. The said additional appropriations are funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$1,760,000</u>
TOTAL REDUCTION	\$1,760,000

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

PROPOSAL NO. 93, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 93, 1990, on February 7, 1990. The proposal appropriates \$65,000 for the County Sheriff to pay for expenses related to the attendance of officers at various training sessions throughout 1990. 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 7:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 93, 1990, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brooks, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Clark*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 93, 1990, was retitled FISCAL ORDINANCE NO. 19, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Sixty-five Thousand Dollars (\$65,000) in the Law Enforcement Continuing Education Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the Law Enforcement Continuing Education 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 2.01(z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay for expenses related to the attendance of officers at various training sessions throughout 1990.

SECTION 2. The sum of Sixty-five Thousand Dollars (\$65,000) 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 appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>LAW ENFORCEMENT CONTINUING EDUCATION FUND</u>
3. Other Services and Charges	<u>\$65,000</u>
TOTAL INCREASE	\$65,000

SECTION 4. The said additional appropriations are funded by the following reductions:

	<u>LAW ENFORCEMENT CONTINUING EDUCATION FUND</u>
Unappropriated and Unencumbered	
Law Enforcement Continuing Education Fund	<u>\$65,000</u>
TOTAL REDUCTION	\$65,000

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

PROPOSAL NO. 94, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 94, 1990, on February 7, 1990. The proposal appropriates \$6,000 for the County Sheriff to pay salary expenses for two officers assigned to the Repeat Offenders Program through March 31, 1990. 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 7:59 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 94, 1990, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Brooks*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 94, 1990, was retitled FISCAL ORDINANCE NO. 20, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Six Thousand Dollars (\$6,000) in the State and Federal Grant Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01(z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay salary expenses for two officers assigned to the Repeat Offenders Program through March 31, 1990.

SECTION 2. The sum of Six Thousand Dollars (\$6,000) 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 appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	<u>\$6,000</u>
TOTAL INCREASE	\$6,000

SECTION 4. The said additional appropriations are funded by the following reductions:

	<u>STATE AND FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$6,000</u>
TOTAL REDUCTION	\$6,000

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. 656, 1989. Councillor Rhodes reported that the Administration Committee heard Proposal No. 656, 1989, on February 12, 1990. The proposal amends the Code to provide for the establishment of an ordinance violations bureau and the appointment and duties of a violations clerk. By a 7-0 vote, the Committee reported the proposal to the Council with

the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Holmes, for adoption.

Councillor Schneider asked for clarification of the amendment. Robert Elrod, General Counsel, replied that the state legislature authorized the establishment of a traffic violations bureau under the jurisdiction of the city controller which would have authority over all non moving violations. Proposal No. 656, 1989 contains all the penalties that are currently included in the code currently for non moving violations and puts them under the new bureau, deleting from the code some hundreds of moving violations that are no longer enforceable by the ordinance violations bureau procedure. There are two new provisions in this ordinance: (1) a description of parallel parking and (2) parking is illegal where the curb is painted yellow.

Councillor Curry stated that he will be voting against Proposal No. 656, 1989, because the Department of Administration has included in this ordinance a description of parking on specific streets which is really the purview of the Department of Transportation.

Proposal No. 656, 1989, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Strader, West

3 NAYS: Curry, Golc, Williams

2 NOT VOTING: Dowden, Solenberg

1 NOT PRESENT: Ruhmkorff

Proposal No. 656, 1989, was retitled GENERAL ORDINANCE NO. 21, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1990

A GENERAL ORDINANCE establishing within the Finance Division, Department of Administration, an ordinance violation bureau (pursuant to IC 33-6-3) for enforcement of certain ordinance violations and transferring to it the responsibilities of the traffic violations bureau which is abolished, providing for the appointment of an ordinance violations clerk, designating a schedule of ordinance violations subject to these enforcement procedures, and fixing the respective civil penalties payable upon admission of such violations. (Adopts Revised Code Section 221-221 through Section 221-225 amends Code Sec. 29-254 and repeals Division 2 of Article II of Chapter 29 of the Code.)

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

PART ONE. The Revised Code the Consolidated City and County be, and is hereby, amended by adopting the following new Sections 221-221 through 221-223 establishing an ordinance violations bureau:

CHAPTER 221. DEPARTMENT OF ADMINISTRATION

ARTICLE 2. DEPARTMENT OF FINANCE

Sec. 221-221. Ordinance Violations Bureau. An ordinance violations bureau is established within the Finance Division of the Department of Administration for purposes authorized by Chapter 3 of Article 6 of Title 33 of the Indiana Code (IC 33-6-3).

Sec. 221-222. Violations Clerk, Appointment. The ordinance violations bureau shall be administered by the violations clerk. The violations clerk shall be appointed by, and serve at the pleasure of, the City Controller.

Sec. 221-223. Duties of violations clerk and ordinance violations bureau. The violations clerk and ordinance violations bureau shall be responsible for processing code and ordinance violations which are enforced pursuant to the procedures set forth in Article II of Chapter 103 of this Code and for those duties transferred as successor to the traffic violations bureau existing under Chapter 29 of the Code.

PART TWO. The Revised Code of the Consolidated City and County be, and is hereby, amended by adopting the following new Article 3 in Chapter 103:

ARTICLE III. ENFORCEMENT PROCEDURES - ORDINANCE VIOLATIONS BUREAU

Sec. 103-301. Violations Subject to Admission and Payment. Violations of the Code (or ordinance) provisions set forth in the schedule in Sec. 103-302 are designated as subject to admissions of violation and payment of the designated civil penalty (if not more than \$50) in accordance with the procedures of this Article.

Sec. 103-302. Schedule of Code Provisions and Penalties. The following code (or ordinance) provisions and respective civil penalties are designated for enforcement through the ordinance violations bureau:

<u>Code Section</u>	<u>Subject Matter</u>	<u>Civil Penalty</u>
28-16	Parking prohibited for street repairs and cleaning	7.50
29-8	Pedestrian violations	7.50
29-27	Parking when temporarily prohibited	7.50
29-97	Display of unauthorized traffic controls	7.50
29-98	Interference with traffic control devices	7.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	7.50
29-251	Unlawful parking near fire hydrant	7.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	7.50
29-254	Unlawful manner of parking	7.50
29-255	No required lights on certain parked vehicles	7.50
29-256.1	Violation of handicapped parking restrictions	7.50
29-256.2	Unlawful parking in handicapped parking meter zone	7.50
29-257	Unloading perpendicular to curb without permit	7.50
29-258	Unlawful use of bus stops and taxicab stand	7.50
29-259	Unlawful use of passenger and loading zones	7.50
29-260	Unlawful parking adjacent to certain buildings	7.50
29-262	Unlawful parking for display for sale or advertising	7.50
29-263	Unlawful parking for more than 6 hours	7.50
29-264	Unlawful parking of commercial vehicles at night	7.50
29-265	Unlawful parking in alleys or on certain narrow streets	7.50
29-266	Unlawful parking in designated special parking areas	7.50
29-267	Parking on certain streets where prohibited at all times	7.50
29-268	Stopping, standing or parking on streets where prohibited at all times	7.50
29-269	Parking on certain streets where prohibited at all times on certain days	7.50
29-270	Parking on certain streets when prohibited at certain times on certain days	7.50
29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	7.50 25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	7.50
29-284	Parking in excess of time permitted in parking meter zone	7.50
29-291	Parking in meter zone when temporarily prohibited	7.50
29-297	Overtime parking in metered parking space	7.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	7.50
29-336	Unlawful parking of bus or taxicab	7.50
29-337	Unlawful parking in certain mailbox zones	7.50
29-341	Unlawful stopping, standing or parking near fire hydrant	7.50
29-342	Unlawful obstruction of fire lane	25.00
29-398	Unlawful loading or unloading of private bus	7.50
29-400	Unlawfully stopping of food vendor vehicle	7.50
29-401	Violation of noise restriction on food vendors	7.50
29-403	Failure of food vending vehicle to display required warnings	7.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	7.50
29-406	Operation of bicycle without required equipment	7.50
29-407	Unlawful operation of bicycle	7.50
29-424	Operation of unregistered bicycle	7.50

Sec. 103-303. Late Charges. If a violation subject to the procedures in this article is admitted more than seven (7) days after issuance of the complaint, the ordinance violation bureau shall add a late charge of five dollars

(\$5.00) per violation to the amount otherwise payable under this article and shall accept such payment if the violation has not been referred to the legal division and may accept said payment with consent of the legal division if the violation has been referred to the legal division.

Sec. 103-304. Notice, Complaint and Summons. Any official, authorized to issue complaints and summons for violations scheduled in this article, shall at the time of giving notice of such violation advise the alleged violator that such violation may be admitted, and if admitted is subject to payment of a fixed civil penalty under this Article. Such information may be printed on such notice, complaint or summons. A copy of the complaint or summons shall be filed with the ordinance violations bureau by the issuing official no later than noon of the next business day following its issuance. Failure to file the complaint or summons shall not affect its validity or the alleged violator's option to admit the violation and pay the fixed civil penalty.

Sec. 103-305. Form of Complaint and Summons. For violations subject to the procedures of this article, the complaint and summons shall be serially numbered, executed in triplicate and contain the following information:

- (1) The date and time of issuance.
- (2) The specific violation of which complaint is made.
- (3) The date and location of the violation.
- (4) The name and address of the person alleged to have committed the violation, if known, or readily obtainable.
- (5) The license plate number of the motor vehicle and the name and address of its owner, if the violation involves a motor vehicle and the owner's name and address are known.
- (6) The signature of the official issuing the complaint.
- (7) The badge number, if any, of the official.
- (8) The duty of the alleged violator to appear.

Sec. 103-306. Service of Complaint. A complaint of a violation subject to this article, shall be served by the issuing official upon the alleged violator; service may be as follows:

- (1) If the alleged violator is present, it shall be delivered personally to the alleged violator.
- (2) If the alleged violator is not present and the violation involves specific premises, it shall be served on the owner or other person in possession of the premises either in person or by certified mail return receipt requested.
- (3) If the alleged violator is not present and the violation involves a motor vehicle, it shall be delivered either to any competent person in possession or in charge of the motor vehicle or, if no such person is present, to the owner or operator of the motor vehicle by posting or attaching the written complaint and notice in a conspicuous space upon the vehicle.

Sec. 103-307. Duty to Appear. Any person upon whom a complaint and summons is issued pursuant to this article, shall appear in person or by attorney at the ordinance violations bureau, or such other place as is approved by the violations clerk, to either admit or deny the violation within seven (7) days of the date of issuance of the complaint.

Sec. 103-308. Procedure on Admission of Violation. If a violation subject to this article is admitted to the ordinance violations bureau, the civil penalty specified in this article for such violation shall be paid to the City of Indianapolis in a manner authorized by the City Controller.

Sec. 103-309. Procedure on Denial of Violation, Failure to Appear or Failure to Pay. If a person upon whom a complaint and summons is served pursuant to this article:

- (1) appears and denies the violation, or
- (2) fails to appear and either admit or deny the violation within ten (10) days of issuance of the complaint and summons, or
- (3) fails to pay the specified civil penalty within seven (7) days after admitting the violation,

the violation clerk shall report such circumstances to the legal division for appropriate court proceedings against such person.

Sec. 103-310. Limitations. The civil penalties specified in this article shall apply only to violations admitted as provided in this article and shall be considered offers in compromise. If judicial proceeding are initiated for such violation, the specific penalties for such violation or the general penalties of the code shall be applicable to the violation.

PART THREE. The code of Indianapolis and Marion County, specifically Sec. 29-254, be, and is hereby, amended by inserting the underlined text, to read as follows:

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Sec. 29-254. Manner of Parking.

(a) Parallel to curb. Parallel-to-curb parking shall be required and be used wherever parking is permitted on the streets and public places of the city, except as otherwise specifically permitted or provided by subsections (b) and (c). Parallel-to-curb parking means parking with the curb side wheels of the vehicle within 12 inches of the curb with the vehicle headed in the direction of the permitted traffic flow in the adjacent traffic lane.

(b) Forty-five-degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of forty-five (45) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Henry Street, on the north side, between Drover Street and Marion Avenue;

Senate Avenue, on both sides, from the first alley north of Kansas Street to Morris Street;

West Maryland Street, on the north side, between Missouri Street and the first public way west of Missouri Street.

(c) Ninety-degree angle. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of ninety (90) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Broadway Street, on the west side, from Eleventh Street to the north terminal of Broadway Street (1125N);

Massachusetts Avenue, between Alabama Street and New Jersey Street;

Massachusetts Avenue, on the southeast side, between New Jersey Street and East Street;

Massachusetts Avenue, between East Street and College Avenue;

Massachusetts Avenue, between New York Street and Ohio Street;

Massachusetts Avenue, between Ohio Street and Vermont Street.

(d) Sixty-degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of sixty (60) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

East Maryland Street, north side, between Alabama Street and Delaware Street.

Michriver Street, south side, from Winona Street to the deadend.

(e) Notwithstanding any other provision of this Code, it shall be unlawful for the owner, driver or operator of any vehicle to park or stop such vehicle or to permit such vehicle to be parked or to stand at any time, without exception, adjacent to any portion of a curb which is painted yellow.

(f) Curbs which are painted yellow may include areas where a vehicle's parking, stopping or standing is prohibited by another Section of this Code, or other areas deemed necessary by the Transportation Board.

PART FOUR. "Division 2 - Traffic Violation Bureau" of Article II of Chapter 29 of the Code of Indianapolis and Marion County (Secs. 29-39 through 29-48, inclusive) are hereby repealed effective April 1, 1990; except, that any proceedings initiated under those sections prior to such date shall be continued by the ordinance violations bureau acting as a traffic violations bureau under those provisions. Provided, however, any notice of traffic violations, which are issued under the provisions hereby repealed and which have not been compromised thereunder prior to July 1, 1990, shall be referred by the violations clerk to the legal division for such further proceedings as may be appropriate.

PART FIVE. This ordinance shall be in full force and effect from and after adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 61, 1990. Councillor McGrath reported that the Rules and Policy Committee heard Proposal No. 61, 1990 on February 15, 1990. The proposal proposes an ordinance of the Marion County Income Tax Council freezing the rate of C.O.I.T. on the taxpayers and casting votes of the Council on said ordinance. By a 5-0 vote, the Committee reported

the proposal to the Council with the recommendation that it do pass. Councillor McGrath moved, seconded by Councillor West, for adoption.

Mr. Moldthan stated that he is pleased that the Council is freezing the County Option Income Tax (COIT), but that COIT is still bringing in more revenue than was expected; therefore, he urged the Council to either lower property taxes or lower the rate of COIT.

Proposal No. 61, 1990, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Hawkins*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 61, 1990, was retitled SPECIAL RESOLUTION NO. 14, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1990

A SPECIAL RESOLUTION of the City-County Council of Indianapolis and of Marion County, Indiana, proposing an ordinance of the Marion County Income Tax Council freezing the rate of the County Option Income Tax on the taxpayers of Marion County, Indiana, and casting votes of the City-County Council of the City of Indianapolis and of Marion County on said Ordinance.

WHEREAS, the Indiana General Assembly established the County Option Income Tax as IC 6-3.5-6; and

WHEREAS, IC 6-3.5-6-2 established the Marion County Income Tax Council; and

WHEREAS, the members of the Marion County Income Tax Council are the City-County Council of Indianapolis and Marion County, the City Council of Beech Grove, the City Council of Lawrence, the City Council of Southport, and the Town Board of Speedway; and

WHEREAS, IC 6-3.5-6-8 permits the county income tax council to impose a county option income tax on county taxpayers; and

WHEREAS, the Marion County Income Tax Council imposed the county option income tax July 1, 1984; and

WHEREAS, IC 6-3.5-6-11 provides that the county income tax council may adopt an ordinance to freeze the county option income tax rates at the rate in effect on January 1 of a year; and

WHEREAS, the City-County Council, as a member of the Marion County Income Tax Council may propose such an ordinance; and

WHEREAS, the tax rate currently in effect for resident county taxpayers is seven tenths of one percent (0.7%); and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana wishes to propose an ordinance of the Marion County Income Tax Council to freeze the county option income tax; now, therefore:

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

SECTION 1. The City-County Council proposes an ordinance of the Marion County Income Tax Council to freeze the county option income tax.

SECTION 2. The City-County Council casts its 92.99 votes in favor of the proposed ordinance of the Marion County Income Tax Council which Ordinance is attached hereto.

SECTION 3. That the City Clerk of the City of Indianapolis is hereby ordered to deliver an original executed copy of this Resolution and the proposed Ordinance of the Marion County Income Tax Council to the Auditor of Marion County forthwith so that the County Auditor shall deliver copies of said proposed Ordinance to other members of the County Income Tax Council, namely, the City Council of the City of Beech Grove, City Council of the City of Lawrence, Town Board of the Town of Speedway and the City Council of the City of Southport, after receipt from the City Clerk and so that the other members of the Marion County Income Tax Council shall, after receipt from the County Auditor, vote on said proposed Ordinance.

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

EXHIBIT A

AN ORDINANCE OF THE MARION COUNTY INCOME TAX
COUNCIL FREEZING THE COUNTY OPTION INCOME TAX

WHEREAS, the Indiana General Assembly established the County Option Income Tax as IC 6-3.5-6; and

WHEREAS, IC 6-3.5-6-2 established the Marion County Income Tax Council; and

WHEREAS, the members of the Marion County Income Tax Council are the City-County Council of Indianapolis and Marion County, the City Council of Beech Grove, the City Council of Lawrence, the City Council of Southport, and the Town Board of Speedway; and

WHEREAS, IC 6-3.5-6-8 permits the county income tax council to impose a county option income tax on county taxpayers; and

WHEREAS, the Marion County Income Tax Council imposed the county option income tax July 1, 1984; and

WHEREAS, IC 6-3.5-6-11 provides that the county income tax council may adopt an ordinance to freeze the county option income tax rates at the rate in effect on January 1 of a year; and

WHEREAS, the rate currently in effect for resident county taxpayers is seven-tenths of one percent (0.7%); and

WHEREAS, the Marion County Income Tax Council wishes to freeze the county option income tax; and

WHEREAS, the Marion County Income Tax Council must adopt an Ordinance freezing the county option income tax on or before April 1, 1990; now therefore:

BE IT ORDAINED BY THE MARION COUNTY
INCOME TAX COUNCIL:

SECTION 1. The county option income tax is frozen for Marion County taxpayers. The rate imposed for resident county taxpayers equals seven-tenths of one percent (0.7%). The rate imposed for all other county taxpayers equals one-hundred seventy-five thousandths of one percent (0.175%). This freeze takes effect July 1 of the same calendar year.

SECTION 2. The tax rate for 1990 and subsequent years is as follows:

<u>Resident County Taxpayers</u>	<u>Other County Taxpayers</u>
0.7%	0.175%

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

PROPOSAL NO. 96, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 96, 1990, on February 7, 1990. The proposal renews the Community Corrections Program for fiscal year 1990-1991 with respect to a grant application to the State. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 96, 1990, was adopted on the following roll call vote; viz:

February 26, 1990

23 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West*

0 NAYS:

5 NOT VOTING: *Durnil, Golc, Hawkins, Moriarty, Williams*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 96, 1990, was retitled COUNCIL RESOLUTION NO. 37, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1990

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1990-1991 and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1990-1991 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to IC 11-12-1; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Programs for fiscal year 1990-1991; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1990-1991, a copy of which is on file with the Clerk of the Council and incorporated herein by reference, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:

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

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with I.C. 11-12-2 and the terms of said application.

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community of Corrections Program for a period of one year beginning on July 1, 1990.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source, except for some programs that the City-County Council wishes to fund. At any time that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received.

SECTION 4. Notwithstanding IC 11-12-1-3 any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

PROPOSAL NO. 100, 1990. This proposal amends the Code by authorizing parking meter and parking restriction changes on Washington Street. PROPOSAL NO. 101, 1990. This proposal amends the Code by authorizing parking restrictions on a portion of Rochester Avenue. The Transportation Committee heard Proposal Nos. 100 and 101, 1990, on February 21, 1990. By a 5-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal Nos. 100 and 101, 1990, were adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, West, Williams*

0 NAYS:

3 NOT VOTING: *Durnil, Hawkins, Strader*

1 NOT PRESENT: *Ruhmkorff*

Proposal No. 100, 1990, was retitled GENERAL ORDINANCE NO. 22, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO.22, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Washington Street, on both sides, from
Delaware Street to Capitol Avenue;

Washington Street, on the north side, from
Alabama Street to Delaware Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY

From 3:00 p.m. to 6:00 p.m.

Washington Street, on the north side, from
Delaware Street to Senate Avenue.

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

Washington Street, on the north side, from
Alabama Street to the east city limits;

Washington Street, on the south side, from
Capitol Avenue to the west city limits.

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 4:00 p.m. to 6:00 p.m.

Washington Street, on the north side, from
Capitol Avenue to the west city limits;

Washington Street, on the south side, from
Delaware Street to the east city limits;

February 26, 1990

Washington Street, on the south side, from the
White River to Capitol Avenue.

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 3:00 p.m. to 6:00 p.m.

Washington Street, on the south side, from
New Jersey Street to East Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283. Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

ONE HOUR

Washington Street, on both sides, from
Alabama Street to College Avenue;

Washington Street, on the north side, from
Capitol Avenue to the first alley west of Missouri Street;

Washington Street, on the north side, from
West Street to the first alley east of West Street;

Washington Street, on the north side, from
West Street to California Street;

Washington Street, on the south side, from
Alabama Street to Delaware Street;

Washington Street, on the south side, from
Capitol Avenue to California Street.

TWO HOURS

Washington Street, on the south side, from
Pennsylvania Street to Delaware Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, section 29-332. Bus stop and trolley stop zones, be, and the same is hereby amended by the deletion of the following, to wit:

Bus Stop Zones

Washington Street, on the south side, from a point
215 feet east of Capitol Avenue to a point
430 feet east of Capitol Avenue (215 feet);

Washington Street, on the south side, from a point
130 feet east of Illinois Street to a point
300 feet east of Illinois Street (170 feet);

Washington Street, on the south side, from a point
112 feet east of Meridian Street to a point
320 feet east of Meridian Street (208 feet).

Trolley Stop Zones

Washington Street, on the north side, from a point
22 feet east of Senate Avenue to a point
70 feet east of Senate Avenue (48 feet).

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268. Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

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Washington Street, on the north side, from a point
215 feet west of Alabama Street to Delaware Street;

Washington Street, on the north side, from
Pennsylvania Street to Illinois Street;

Washington Street, on the north side, from a point
137 feet west of Illinois Street to Capitol Avenue;

Washington Street, on the north side, from a point
389 feet east of West Street to a point
536 feet east of West Street;

Washington Street, on the north side, from West Street to a point
180 feet east of West Street;

Washington Street, on the south side, from a point
226 feet east of New Jersey Street to Alabama Street;

Washington Street, on the south side, from a point
234 feet west of Capitol Avenue to a point
530 feet west of Capitol Avenue;

Washington Street, on the south side, from a point
602 feet west of Capitol Avenue to a point
1,092 feet west of Capitol Avenue, and

Washington Street, on the south side, from
West Street to a point 73 feet east of West Street.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 3:00 p.m. to 6:00 p.m.

Washington Street, on the north side, from a point
180 feet east of West Street to a point
389 feet east of West Street

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m.
and from 3:00 p.m. to 6:00 p.m.

Washington Street, on the north side, from
East Street to a point 215 feet
west of Alabama Street;

Washington Street, on the north side, from
Delaware Street to Pennsylvania Street; and

Washington Street, on the south side, from
East Street to a point 226 feet
east of New Jersey Street

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

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TWO HOURS

Washington Street, on the north side, from
East Street to a point 215 feet
west of Alabama Street;

Washington Street, on the north side, from
Delaware Street to Pennsylvania Street;

Washington Street, on the north side, from
Illinois Street to a point 137 feet
west of Illinois Street;

Washington Street, on the north side, from
Capitol Avenue to a point 536 feet
east of West Street;

Washington Street, on the north side, from a point
180 feet east of West Street to a point
389 feet east of West Street;

Washington Street, on the south side, from
East Street to a point 226 feet
east of New Jersey Street;

Washington Street, on the south side, from
Alabama Street to a point 234 feet
west of Capitol Avenue;

Washington Street, on the south side, from a point
530 feet west of Capitol Avenue to a point
602 feet west of Capitol Avenue;

Washington Street, on the south side, from a point
1,092 feet west of Capitol Avenue to a point
73 feet east of West Street.

SECTION 8. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-332. Bus stop and trolley stop zones, be, and the same is hereby amended by the addition of the following, to wit:

Bus Stop Zones

Washington Street, on the south side, from a point
129 feet east of New Jersey Street to a point
226 feet east of New Jersey Street.

Trolley Stop Zones

Washington Street, on the north side, from a point
381 feet west of Capitol Avenue to a point
431 feet west of Capitol Avenue (50 feet).

SECTION 9. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 101, 1990, was retitled GENERAL ORDINANCE NO. 23, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Rochester Avenue, on both sides, from Washington Street
to the first alley south of Washington Street.

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

Councillor Gilmer asked consent to amend the agenda and hear Proposal No. 130, 1990, at this time. Consent was given.

PROPOSAL NO. 130, 1990. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 130, 1990, on February 21, 1990. This proposal appoints Jack W. Bailey to the Transportation Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Cottingham, for adoption. Proposal No. 130, 1990, was adopted by unanimous voice vote.

Proposal No. 130, 1990, was retitled COUNCIL RESOLUTION NO. 38, 1990, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1990

A COUNCIL RESOLUTION appointing Jack W. Bailey to the Transportation 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 Transportation Board, the Council appoints:

Jack W. Bailey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1990. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 112, 1990. Councillor Rhodes requested Councillor Holmes to report the Committee results. Councillor Holmes reported that the Administration Committee heard Proposal No. 112, 1990, on February 12, 1990. The proposal authorizes the lease of office space for Prosecutor's Office. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor Rhodes, for adoption. Proposal No. 112, 1990, was adopted on the following roll call vote; viz:

25 YEAS: Borst, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Strader, West

2 NAYS: Boyd, Williams

1 NOT VOTING: Solenberg

1 NOT PRESENT: Ruhmkorff

Proposal No. 112, 1990, was retitled SPECIAL RESOLUTION NO. 15, 1990, and reads as follows:

February 26, 1990

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1990

A SPECIAL RESOLUTION authorizing the lease of office space for the Marion County Prosecutor's Office.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of up to twenty-thousand (20,000) square feet of office space at 251 East Ohio Street for the use of the Marion County Prosecutor's Office is necessary.

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

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas announced that the next City-County Council meeting will begin at 5:00 p.m. on March 12, 1990.

There being no further business, upon motion duly made and seconded, the meeting adjourned at 8:52 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of February, 1990.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Beert SerVaas

President

Ken D. Kopp-Heck

Clerk of the Council

ATTEST:

(SEAL)