

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

**REGULAR MEETINGS
MONDAY, JUNE 8, 1992**

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 7:05 p.m. on Monday, June 8, 1992, with Councillor SerVaas presiding.

Councillor Gilmer introduced Chaplain Bert Reed, Lieutenant Colonel, Indiana Air Guard Reserve, who led the opening prayer. Councillor Gilmer invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Curry introduced Richard Dunn, a director of city planning and development from Glen Ellyn, Illinois.

Councillor Smith recognized Boy Scout Troop No. 104 under the leadership of Gordon Edwards, Jack Russell and Jim Hine. The members present were Derek Edwards, Eric Hotseller, Nick Lyons, Ryan Russell, Matt Hine and Jim Cochran.

Councillor O'Dell introduced Brian Barton, hazardous materials coordinator for the Emergency Management Department. He is also a Warren Township ward chairman.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified 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, June 8, 1992, 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

May 26, 1992

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 Friday, May 29, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 252, 257, 258, 260, 261 and 262, 1992, to be held on Monday, June 8, 1992, at 7:00 p.m., in the City-County Building.

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

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, Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 25, 1992, directing a reduction of expenditures from budgeted appropriations from the County General Fund.

FISCAL ORDINANCE NO. 27, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Ten Thousand Three Hundred Fifty Dollars (\$10,350) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Funds.

FISCAL ORDINANCE NO. 28, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Funds.

FISCAL ORDINANCE NO. 29, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Five Thousand Dollars (\$5,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Funds.

SPECIAL RESOLUTION NO. 40, 1992, recognizing Josephine "Jo" Hauck.

June 8, 1992

SPECIAL RESOLUTION NO. 41, 1992, recognizing White River Park State Games.

SPECIAL RESOLUTION NO. 42, 1992, recognizing Historic Ransom Place.

SPECIAL RESOLUTION NO. 43, 1992, designating Vermont Street from Capitol Avenue to Alabama Street as the "Korean War Memorial Way".

SPECIAL RESOLUTION NO. 44, 1992, authorizing the lease of office space for the Wayne Township Assessor to be built at Country Club Road and Rockville Road.

SPECIAL RESOLUTION NO. 45, 1992, authorizing the Controller, the Auditor and the Treasurer to transact business through the use of electronic funds transfer.

GENERAL ORDINANCE NO. 31, 1992, amending the Code concerning rabies control.

GENERAL ORDINANCE NO. 32, 1992, concerning vehicle taxes in Marion County.

GENERAL ORDINANCE NO. 33, 1992, amending the Code by authorizing intersection controls in the Chapel Bend subdivision (District 18).

GENERAL ORDINANCE NO. 34, 1992, amending the Code by authorizing a traffic signal at the intersection of Doubletree Drive and Michigan Road (District 1).

GENERAL ORDINANCE NO. 35, 1992, amending the Code by authorizing a traffic signal at the access drive (south) and Harcourt Road (8400 N.) (District 3).

GENERAL ORDINANCE NO. 36, 1992, amending the Code by deleting a one-way southbound traffic flow on Pierson Street between Fall Creek Parkway, South Drive and 22nd Street; and by authorizing intersection controls at Fall Creek Parkway, South Drive, and Pierson Street (District 22).

Respectfully,
s/Stephen Goldsmith
Stephen Goldsmith

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of May 26, 1992. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 287, 1992. This proposal, sponsored by Councillor Gilmer, remembers the Battle of Midway. Councillor Gilmer read the resolution and presented framed documents to Tom Evans and Barbara Ferris, brother and sister of Ensign William Evans, Jr., a representative of the Battle of Midway. Mr. Evans and Mrs. Ferris both expressed appreciation for the recognition. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 287, 1992 was adopted by unanimous voice vote.

Proposal No. 287, 1992 was retitled SPECIAL RESOLUTION NO. 46, 1992 and reads as follows:

Journal of the City-County Council

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1992

A SPECIAL RESOLUTION remembering the Battle of Midway.

WHEREAS, the U.S. victory at the Battle of Midway on June 4, 1942, marked the turning point for America during World War II; and

WHEREAS, during the early hours of the engagement Torpedo Squadron Eight, flying off the carrier Hornet, bought precious time for the U.S. forces by making the initial strike against the Japanese fleet; and

WHEREAS, Ensign William R. Evans, Jr., a pilot from Indianapolis, was one of the twenty-nine airmen of the thirty-man squadron who did not return that morning;

WHEREAS, Ensign Evans, who grew up at 5019 North Meridian Street, was a bright and energetic graduate of Shortridge High School and Wesleyan College who volunteered to serve his country during those dark years; and

WHEREAS, The WORLD WAR II NATIONAL COMMEMORATIVE ASSOCIATION will honor Ensign Evans during a special 50-year Battle of Midway tribute on June 13 by presenting to the City of Indianapolis a portrait of Ensign Evans who represents those many sons, daughters, and families who did not particularly believe in war--but who did what had to be done to defend America; 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 pauses to remember the June, 1942, Battle of Midway which was the first major American victory in World War II.

SECTION 2. The Council commends the work of the WORLD WAR II NATIONAL COMMEMORATIVE ASSOCIATION as it focuses upon native son Ensign William R. Evans, Jr. as an appropriate representative of that historic battle, and wishes the Association well during their public tribute on June 13, 1992.

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. 288, 1992. This proposal, sponsored by Councillor Beadling, recognizes the 60th anniversary of the Richard L. Roudebush Veterans Medical Center. Councillor Beadling introduced Michael Walton, Associate Director, Richard L. Roudebush VA Medical Center; David Unterwagner, Veterans Services Officer, Regional Office, Department of Veterans Affairs; Wilson Tow, General Counsel, Department of Veterans Affairs; and John Henneman, Public Affairs Officer, Richard L. Roudebush VA Medical Center. Mr. Henneman introduced the following veterans: Dan Boggard, Samuel Garvin, Ralph Wood and Larry Beadling. Councillor Beadling read the resolution and presented framed documents to the aforementioned men. Messrs. Waltom, Unterwagner, Tow and Henneman expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor West, for adoption. Proposal No. 288, 1992 was adopted by unanimous voice vote.

Proposal No. 288, 1992 was retitled SPECIAL RESOLUTION NO. 47, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1992

A SPECIAL RESOLUTION recognizing the 60th anniversary of the Richard L. Roudebush Veterans Medical Center.

WHEREAS, on June 9, 1992, the Richard L. Roudebush VA Medical Center will be celebrating sixty years of service at its Cold Spring Road Division and forty years of service at its West Tenth Street Division; and

June 8, 1992

WHEREAS, the full service hospitals treat over 5,500 in-patients and 150,000 out-patients a year, has over 1,600 employees, adds over \$109 million a year to the local economy in payroll and purchases, and has over \$100 million in construction projects underway; and

WHEREAS, the medical centers help train over 1,100 health care students from Indiana colleges each year, benefit from 732 volunteers performing 78,000 hours of volunteer work per year, and has cared for U.S. veterans from the Civil War through Desert Storm; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the Richard L. Roudebush VA Medical Center and its employees and volunteers for providing high quality and compassionate health care for America's veterans.

SECTION 2. The 60th anniversary occasion on June 9, 1992, is a special day to reflect upon the significant contribution these hospitals make to this community, and for each person associated with the Medical Center to be rededicated to serving their very special patients--the armed forces veterans who have defended America and the freedoms which we cherish.

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. 289, 1992. This proposal, sponsored by Councillors Golc and Gilmer, recognizes the 500 Gordon Pipers, Inc. Councillor Gilmer read the resolution and presented a framed document to Pipe Major "Doc" Wallace Gordon Diehl, DVM, who expressed appreciation for the recognition. Councillor Golc moved, seconded by Councillor Gilmer, for adoption. Proposal No. 289, 1992 was adopted by unanimous voice vote. The 500 Gordon Pipers performed several musical numbers.

Proposal No. 289, 1992 was retitled SPECIAL RESOLUTION NO. 48, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1992

A SPECIAL RESOLUTION recognizing the 500 Gordon Pipers, Inc.

WHEREAS, the 500 Gordon Pipers, Inc., or "Gordon Pipers" as they are popularly known, have become a legend with their distinctive Scottish bagpipe music since the group was organized on March 9, 1962; and

WHEREAS, the 33-member Gordon Pipers have performed in twenty-nine consecutive 500 Festival Parades, in the Richmond, Indiana, Rose Festivals, have toured Scotland and Canada, are invited to up to eighteen performances each St. Patrick's Day in March, and play the pipes at over fifty occasions a year; and

WHEREAS, members are from the United States, Scotland, Ireland and Canada, and all share a common interest in the distinctive 2,000-year-old musical instrument which is associated with Scotland; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the dedicated members of the 500 Gordon Pipers, Inc. and the group's founder and Pipe Major, "Doc" Wallace Gordon Diehl, DVM.

SECTION 2. The Council wishes the Gordon Pipers well as they represent Scottish tradition, the rich multicultural heritage of this community, the people of Indianapolis, and themselves in their many performances throughout the Midwest and the world.

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. 270, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 270, 1992 on June 2, 1992. The proposal appoints Rudy Hightower to the Board of Public Safety. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 270, 1992 was adopted by unanimous voice vote.

Proposal No. 270, 1992 was retitled COUNCIL RESOLUTION NO. 60, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1992

A COUNCIL RESOLUTION appointing Rudy Hightower to the Board of Public Safety.

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

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Rudy Hightower

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1992. 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. 279, 1992. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the amendment of previously executed bond documents relating to \$1,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds (Mid State Chemical & Supply Corp. Project) dated as of July 26, 1988"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 280, 1992. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of City of Indianapolis, Indiana Economic Development Mortgage Revenue Refinancing Bonds, Series 1992 (James A. House, Jr. and Elizabeth L. House Project) in the aggregate principal amount of \$1,650,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 281, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the reorganization of the Mayor's Office, Department of Administration, Information Services Agency and the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 282, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the reorganization of the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 283, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving a contract for

June 8, 1992

the acquisition of professional services to provide a residential community corrections program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 284, 1992. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 285, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the reorganization of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 286, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the reorganization of the Department of Transportation"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 290, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Enforcement and Remedies Ordinance of Marion County"; and the President referred it to the Metropolitan Development Committee.

The President said there will be a meeting of the Committee of the Whole on Proposal Nos. 281, 282, 285 and 286, 1992 as soon as the last committee meeting is held regarding these reorganization proposals.

Councillor Black stated that he would like to postpone Proposal No. 284, 1992 until after the budget hearings. The President said that he will let the chairman of Public Safety and Criminal Justice Committee take that proposal up as soon as the budget hearings are completed.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 277, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 277, 1992 on June 3, 1992. The proposal authorizes the amendment of S.R. No. 84, 1990, as amended, to extend the expiration date on the Inducement Resolution for Meadows Revival, Inc. to December 31, 1992. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 277, 1992 was adopted by a majority voice vote.

Proposal No. 277, 1992 was retitled SPECIAL RESOLUTION NO. 49, 1992 and reads as follows:

CITY COUNTY SPECIAL RESOLUTION NO. 49, 1992

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said

facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 84, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 1992 unless the economic development revenue bonds for the project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the term of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1992 contained therein and replacing said date with the date of December 31, 1992.

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

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

PROPOSAL NO. 278, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 278, 1992 on June 3, 1992. The proposal authorizes the amendment of S.R. No. 72, 1990, as amended, to extend the expiration date on the Inducement Resolution for Homeward Partners, Inc. to December 31, 1992. Councillor Giffin stated this project helps to establish a new prevailing wage rate for Marion County for residential high-rises where federal financing is involved. Homeward Partners asked all the local unions working on the project to establish a lower rate, and the impact is that the labor rates on this project are only 40-50% of the prevailing union wage rates. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Jones, for adoption.

Councillor West said that a similar residential building project funded by State funds would not be allowed to reduce the wage rates. It might be very important at this point to have the Department of Metropolitan Development see whether the State prevailing wage law, in parallel situations, could be relaxed in the same manner.

Proposal No. 278, 1992 was adopted by a majority voice vote.

Proposal No. 278, 1992 was retitled SPECIAL RESOLUTION NO. 50, 1992 and reads as follows:

CITY COUNTY SPECIAL RESOLUTION NO. 50, 1992

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

June 8, 1992

WHEREAS, City-County Special Resolution No. 72, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Homeward Partners, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 1992 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the term of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1992 contained therein and replacing said date with the date of December 31, 1992.

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

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

PROPOSAL NOS. 291-294, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 4, 1992". The Council did not schedule Proposal Nos. 291-294, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 291-294, 1992 were retitled REZONING ORDINANCE NOS. 57-60, 1992 and are identified as follows:

REZONING ORDINANCE NO. 57, 1992. 92-Z-42 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #07.
5346 NORTH RURAL STREET (approximate address), INDIANAPOLIS.
THOMAS W. and GERALDINE T. MCLAUGHLIN request the rezoning of 1.335 acres, being in the CS District, to the I-1-U classification to provide for an office/distribution facility.

REZONING ORDINANCE NO. 58, 1992. 92-Z-43 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #07.
2620 RUTH DRIVE (approximate address), INDIANAPOLIS.
BAY DEVELOPMENT CORP., by William F. Lemond, requests the rezoning of 2.0 acres, being in the D-P District, to the C-3 classification to provide for retail sales.

REZONING ORDINANCE NO. 59, 1992. 92-Z-46 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #09.
2426 PARIS AVENUE (approximate address), INDIANAPOLIS.
INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS requests the rezoning of 2.06 acres, being in the D-8 District, to the SU-2 classification to provide for a gymnasium addition, classroom and other improvements to an existing school.

REZONING ORDINANCE NO. 60, 1992. 92-Z-47 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT #01.
6870 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.
SANDLIAN REALTY, INC., by J. Murray Clark, requests the rezoning of 2.1 acres, being in the C-1 District, to the C-S classification to provide for self-storage warehouses and parking and storage of recreational vehicles.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 232, 1992. The proposal appropriates \$33,011 for the Superior Court, Juvenile Division/Detention Center, to pay the salaries of an additional court reporter and a bailiff. Councillor Dowden asked for consent to postpone Proposal No. 232, 1992 until June 22, 1992. Consent was given.

PROPOSAL NO. 252, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 252, 1992 on June 1, 1992. The proposal authorizes the City to make temporary loans for the use of the Consolidated County Fund. Councillor Rhodes said that this ordinance is necessary because of the State's delayed distribution plan regarding the Property Tax Replacement Credit due the County. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West said that balancing the State budget should not be done at the expense of local governments. The State Legislature should restore the flow of funds to local communities.

The President called for public testimony at 8:25 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Curry, for adoption. Proposal No. 252, 1992 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 252, 1992 was retitled FISCAL ORDINANCE NO. 30, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1992

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated County Fund, during the period July 1, 1992 through December 31, 1992 in anticipation of current taxes levied in the year 1991 and collectible in the year 1992 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

(a) that there will be insufficient funds in the Consolidated County Fund to meet the current expenses payable from the Consolidated County Fund prior to the December 1992 distribution of Taxes levied for said Account, and the December 1992 distribution of Taxes to be collected for the Consolidated County Fund will collectively amount to more than Five Million Five Hundred Thousand Dollars (\$5,500,000) and the interest cost of making temporary loans for the Consolidated County Fund;

WHEREAS, a necessity exists for the making of temporary loans for said Fund in anticipation of Taxes for said Fund actually levied for the year 1991 and in course of collection for the year 1992; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated County Fund of the City in the maximum principal amount of Five Million Five Hundred Thousand Dollars (\$5,500,000) in anticipation of Taxes for the Fund for the year 1992, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated County Fund, to the Consolidated County Fund, the 1992 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Consolidated County Fund, 1992 Budget Fund No. 102, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates not to exceed a maximum rate of ten percent per annum, to be determined as hereinafter provided in Section 3 and

June 8, 1992

subsection (b). The Warrants may be issued in one series, designated Series 1992 Warrants ("Series 1992 Warrants"). The Series 1992 Warrants may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for December 1992 for that Fund. The 1992 Warrants may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 1992 Warrants shall mature and be payable not later than December 31, 1992. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 3(a). The Warrants are not subject to redemption if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 3. (a) The Controller may sell the Warrants in one series as set forth in Section 2, pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have said Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form hereinafter provided.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause to be published the notice of sale twice, with first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for said Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said Warrants, or portion thereof bid for. If sold at public sale, said Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the Warrants in one or more series to the purchaser or purchasers of said Warrants at public sale in exchange for the agreed purchase price in immediately available funds. The Warrants may all be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understanding with respect to said delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 4. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amount, dates, statutory citation, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES _____
_____(FUND)(ACCOUNT)

On the ___ date of _____, 1992, the City of Indianapolis ("City"), Marion County, Indiana promises to pay (to the bearer)(to The Indianapolis Local Public Improvement Bond Bank), at the office of the Marion County Treasurer, ex officio Treasurer of the City, or _____, the sum of _____ (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of ___% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at a rate of ___% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1991, and payable in (the first installment) (the second installment) for the year 1992 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current operating expenses of the _____.

This Warrant is in the principal amount of _____ (\$_____), evidencing a temporary loan in anticipation of the Taxes for the _____ (Fund)(Account).

The temporary loan was authorized by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ___ day of _____, 1992, for the purpose of providing funds for the _____ (Fund)(Account) in compliance with IC 36-3-4-22.

Journal of the City-County Council

The consideration for the Warrant is a loan made to the City in anticipation of Taxes levied for the _____ (Fund)(Account) of the City for the year of 1991, payable in (the first installment)(the second installment) for the year 1992, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of said Warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the Warrant to be signed in its corporate name by the facsimile signatures of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this ____ day of _____, 1992.

CITY OF INDIANAPOLIS

BY: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

BY: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis
Beverly S. Rippy

EXHIBIT A
(Advances)

EXHIBIT B
(Maximum Monthly Cumulative Advance)

SECTION 5. Said Warrants shall be executed in the name of the City by the facsimile signature of the Mayor, countersigned by the Controller of the City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 6. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds will be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City Codes not qualify for

June 8, 1992

such exception with regard to any of the Warrants the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall be not an event of default under this ordinance, including without limitation subsections (a) through (d) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 257, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 257, 1992 on June 2, 1992. The proposal transfers and appropriates \$6,900 for the Superior Court, Criminal Division, Room 4, to pay the Mike Tyson trial expenses. Councillor Dowden said that the total cost of the trial is still not known; this appropriation will cover some staff overtime expenses that were incurred. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West commented about the need for the State to pass legislation whereby a person who is found guilty and who has sufficient funds should help pay for the cost of their trial.

The President called for public testimony at 8:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 257, 1992 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*
0 NAYS:
4 NOT VOTING: *Golc, Howard, Jimison, Williams*

Proposal No. 257, 1992 was retitled FISCAL ORDINANCE NO. 31, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Six Thousand Nine Hundred Dollars (\$6,900) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Four and reducing certain other appropriations from the Marion County Justice Agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (hh) and (dd) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room 4 to pay expenses related to the Mike Tyson trial.

SECTION 2. The sum of Six Thousand Nine Hundred Dollars (\$6,900) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 4</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$6,900
TOTAL INCREASE	\$6,900

Journal of the City-County Council

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	<u>\$6,900</u>
TOTAL REDUCTION	\$6,900

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

PROPOSAL NO. 258, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 258, 1992 on June 2, 1992. The proposal appropriates \$66,666 for the Sheriff to utilize a state Project 55 grant to pay officers overtime for working a selective speed enforcement program. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 258, 1992 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
2 NAYS: *Black, Howard*

Proposal No. 258, 1992 was retitled FISCAL ORDINANCE NO. 32, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Sixty-six Thousand Six Hundred Sixty-six Dollars (\$66,666) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (z) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to utilize State Project Grant 55 to pay officers overtime for working a selective speed enforcement program.

SECTION 2. The sum of Sixty-six Thousand Six Hundred Sixty-six Dollars (\$66,666) 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 GRANTS FUND</u>
1. Personal Services	<u>\$66,666</u>
TOTAL INCREASE	\$66,666

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$66,666</u>
TOTAL REDUCTION	\$66,666

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

June 8, 1992

PROPOSAL NO. 260, 261 and 262, 1992. Councillor Dowden asked for consent to vote on the three proposals together. Consent was given. PROPOSAL NO. 260, 1992. The proposal appropriates \$700,673 to utilize a state grant for the Community Corrections Agency for fiscal year 1992-93. PROPOSAL NO. 261, 1992. The proposal appropriates \$154,169 for the Community Corrections Agency to continue the Juvenile Re-entry Services Program for fiscal year 1992-93 funded by a state grant. PROPOSAL NO. 262, 1992. The proposal appropriates \$123,564 of Home Detention User Fees for the Community Corrections Agency for operating expenses for the 1992-93 fiscal year. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 260, 261 and 262, 1992 on June 2, 1992. By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:35 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 260, 261 and 262, 1992 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 260, 1992 was retitled FISCAL ORDINANCE NO. 33, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Seven Hundred Thousand Six Hundred Seventy-three Dollars (\$700,673) in the State and Federal Grants Fund for purposes of the Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (aa) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to appropriate a Grant Award from the Indiana Department of Correction Community Correction for the fiscal year 1992-93.

SECTION 2. The sum of Seven Hundred Thousand Six Hundred Seventy-three Dollars (\$700,673) 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>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$238,095
2. Supplies	15,000
3. Other Services and Charges	404,511
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>43,067</u>
TOTAL INCREASE	\$700,673

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$700,763</u>
TOTAL REDUCTION	\$700,673

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

Proposal No. 261, 1992 was retitled FISCAL ORDINANCE NO. 34, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Fifty-four Thousand One Hundred Sixty-nine Dollars (\$154,169) in the State and Federal Grants Fund for purposes of the Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (aa) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to request appropriation of an Indiana Department of Correction Juvenile Community Corrections Grant Award to be used for the Juvenile Re-Entry Services Program in its fiscal year 1992-93.

SECTION 2. The sum of One Hundred Fifty-four Thousand One Hundred Sixty-nine Dollars (\$154,169) 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>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$154,169</u>
TOTAL INCREASE	<u>\$154,169</u>

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$154,169</u>
TOTAL REDUCTION	<u>\$154,169</u>

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

Proposal No. 262, 1992 was retitled FISCAL ORDINANCE NO. 35, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Twenty-three Thousand Five Hundred Sixty-four Dollars (\$123,564) in the Home Detention User Fee Fund for purposes of the Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (aa) and (b) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to utilize Home Detention User Fees to pay for personnel, equipment and supply costs.

SECTION 2. The sum of One Hundred Twenty-three Thousand Five Hundred Sixty-four Dollars (\$123,564) 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:

June 8, 1992

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	\$ 65,520
2. Supplies	1,500
3. Other Services and Charges	45,998
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>10,546</u>
TOTAL INCREASE	\$123,564

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>\$123,564</u>
TOTAL REDUCTION	\$123,564

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 NOS. 209, 264, 265 and 266, 1992. Councillor Gilmer asked for consent to vote on the four transportation proposals together. Consent was given. PROPOSAL NO. 209, 1992. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing intersection controls at Illinois Street and 54th Street (District 7). PROPOSAL NO. 264, 1992. The proposal, sponsored by Councillor Beadling, authorizes a multi-way stop at Mud Creek Road and Scotch Pine Lane (District 5). PROPOSAL NO. 265, 1992. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at Blackford Street and North Street (District 16). PROPOSAL NO. 266, 1992. The proposal, sponsored by Councillor Black, amends the Code by authorizing parking restrictions on a segment of Central Avenue (District 6). Councillor Gilmer reported that Proposal Nos. 209, 264, 265 and 266, 1992 were heard by the Transportation Committee on June 3, 1992. By a 7-0 vote, the Committee reported Proposal Nos. 209 and 265, 1992 to the Council with the recommendation that they do pass. By an 8-0 vote, the Committee reported Proposal No. 264, 1992 to the Council with the recommendation that it do pass. By a 7-0 vote, the Committee reported Proposal No. 266, 1992 to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 209, 264, 265 and 266, as amended, 1992 were adopted on the following roll call vote; viz:

29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

Proposal No. 209, 1992 was retitled GENERAL ORDINANCE NO. 37, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

Journal of the City-County Council

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 7	Illinois Street & 54th Street	Illinois Street	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 7	Illinois Street & 54th Street	None	Stop

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

Proposal No. 264, 1992 was retitled GENERAL ORDINANCE NO. 38, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 3	Mud Creek Rd. & Scotch Pine Ln.	Mud Creek Rd.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 3	Mud Creek Rd. Scotch Pine Ln.	None	Stop

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

Proposal No. 265, 1992 was retitled GENERAL ORDINANCE NO. 39, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 3	Blackford St. & North St.	North St.	Stop

June 8, 1992

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 3	Blackford St. & North St.	None	Stop

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

Proposal No. 266, 1992, as amended, was retitled GENERAL ORDINANCE NO. 40, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing or parking prohibited at designated locations on certain days and hours.

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 29-271, 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:

From 7:00 a.m. to 9:00 a.m.
Central Avenue, on the west side, from
Thirty-eighth Street to Fortieth Street

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

PROPOSAL NO. 228, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 228, 1992 on May 18, 1992 and recommended that it do pass as amended. On May 26, 1992 the Council voted to return the proposal to Committee. On June 1, 1992, the Committee heard the proposal again. The proposal transfers and appropriates \$70,000 for Voters Registration to purchase computer equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Rhodes stated that since the May 26th Committee meeting, he received a letter from Voters Registration requesting that the amount to be transferred be decreased from \$70,000 to \$40,000; therefore, he moved, seconded by Councillor Giffin, to reduce the amount being transferred and appropriated by changing the words and figures "Seventy Thousand Dollars (\$70,000)" to "Forty Thousand Dollars (\$40,000)" each time they appear in the proposal. This motion passed by unanimous voice vote.

Councillor Rhodes moved, seconded by Councillor Giffin, for adoption. Proposal No. 228, 1992, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 228, 1992, as amended, was retitled FISCAL ORDINANCE NO. 36, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the County General Fund for purposes of Voters Registration and reducing certain other appropriations for that Department.

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 (f) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Voters Registration to purchase additional computer equipment.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>VOTERS REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>\$40,000</u>
TOTAL INCREASE	\$40,000

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

<u>VOTERS REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$40,000</u>
TOTAL REDUCTION	\$40,000

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

PROPOSAL NO. 259, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 259, 1992 on June 2, 1992. The proposal transfers and appropriates \$17,202 for the Sheriff to pay the salary of a replacement employee. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 259, 1992 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 259, 1992 was retitled FISCAL ORDINANCE NO. 37, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Seventeen Thousand Two Hundred Two Dollars (\$17,202) in the County Grant Fund for purposes of the County Sheriff and reducing certain other appropriations for that Department.

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) and (b) of the City-County Annual Budget for 1992, be and is hereby amended by the

June 8, 1992

increases and reductions hereinafter stated for purposes of the County Sheriff to pay salary and fringe benefits for a replacement employee.

SECTION 2. The sum of Seventeen Thousand Two Hundred Two Dollars (\$17,202) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GRANT FUND</u>
1. Personal Services	\$13,154
 <u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>4,048</u>
TOTAL INCREASE	\$17,202

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GRANT FUND</u>
3. Other Services and Charges	<u>\$17,202</u>
TOTAL REDUCTION	\$17,202

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

OLD BUSINESS

Councillor Golc stated that in his opinion there has been confusion on Proposal No. 3, 1992, the public defender issue, and specifically since the President appointed Robert Elrod as the interim administrator. The President defended his appointment of Mr. Elrod because (1) the Marion Superior Court Judge Carr Darden cancelled two meetings that were set to discuss this matter, (2) there are no funds to pay anyone for the job, and (3) Mr. Elrod is qualified to apply for State grants.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of June, 1992.

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

Beurt SerVaas

President

Ben J. Stogner
Clerk of the Council

ATTEST:

(SEAL)