

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

**REGULAR MEETINGS
MONDAY, APRIL 12, 1993**

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 7:00 p.m. on Monday, April 12, 1993, with Councillor SerVaas presiding.

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

ROLL CALL

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

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, 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 Hinkle introduced his wife Barbara. Councillor Jimison acknowledged the presence of Gerry Jones, Michelle Ford and Kathy Bants, students from Indiana University Purdue University at Indianapolis (IUPUI). Councillor Hinkle recognized Mr. and Mrs. Chastain, two supporters of the Ben Davis athletic teams.

OFFICIAL COMMUNICATIONS

The President introduced Ramon Humke, Chairman of the Board of Indianapolis Downtown, Inc. (IDI). Mr. Humke along with Tamara Zahn, President of IDI, gave a report of their organization.

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, April 12, 1993, 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

March 16, 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 Thursday, April 1, 1993, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 148, 149, 150, 152, 153, 154, 157, 158, 159 and 160, 1993, to be held on Monday, April 12, 1993, at 7:00 p.m., in the City-County Building.

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

March 31, 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 Thursday, April 8, 1993, a copy of LEGAL NOTICE on General Ordinance No. 13, 1993 and Special Resolution No. 16, 1993.

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. 10, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$46,930 in the County General Fund for purposes of the Information Services Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

April 12, 1993

FISCAL ORDINANCE NO. 16, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) by establishing salary increases for bargaining unit employees for calendar year 1993.

SPECIAL RESOLUTION NO. 11, 1993, recognizing John P. Willen, P.E.

SPECIAL RESOLUTION NO. 12, 1993, remembering Judge John W. Transberg.

SPECIAL RESOLUTION NO. 13, 1993, an inducement resolution for American Health Care-Castleton, Inc. in an amount not to exceed \$2,500,000 for the acquisition of a one-story nursing home facility.

SPECIAL RESOLUTION NO. 14, 1993, approving an amendment to an existing Interlocal Corporation Agreement between Indianapolis and Beech Grove for treatment of Beech Grove sewage by Indianapolis.

SPECIAL RESOLUTION NO. 15, 1993, authorizing the lease of office space for the Pike Township Assessor.

SPECIAL RESOLUTION NO. 16, 1993, approving annexation into the Indianapolis Sanitary District an area in Perry Township previously served by Southside Utilities, Inc.

GENERAL ORDINANCE NO. 13, 1993, amending the Code by establishing a supplemental repair charge in addition to the regular sewer user charge for the area in Perry Township previously served by Southside Utilities, Inc.

GENERAL ORDINANCE NO. 15, 1993, amending the Code concerning sick leave pay out for certain laid-off employees.

GENERAL ORDINANCE NO. 16, 1993, amending the Code to allow Monument Circle to be included in parade routes for certain events.

GENERAL ORDINANCE NO. 17, 1993, amending the Code by establishing oversight review processes for the 1993-95 Capital Improvement Program.

GENERAL ORDINANCE NO. 18, 1993, amending the Code by authorizing a four-way stop at Bosart Avenue and Nowland Avenue (District 15).

GENERAL ORDINANCE NO. 19, 1993, amending the Code by authorizing stop signs at various intersections in the Big Run subdivision (District 23).

GENERAL ORDINANCE NO. 20, 1993, amending the Code by authorizing stop signs at various locations in The Islands subdivision (District 1).

GENERAL ORDINANCE NO. 21, 1993, amending the Code by authorizing stop signs at Rahke Road and South Creek Drive North, and at Webb Street and LeGrande Avenue (Districts 20, 25).

GENERAL ORDINANCE NO. 22, 1993, amending the Code by changing the intersection controls at Central Avenue and 82nd Street and at Central Avenue and 84th Street from a two-way stop to a multi-way stop (District 2).

GENERAL ORDINANCE NO. 23, 1993, amending the Code by authorizing multi-way stops at Admirals Point Drive and Old Stone Drive, and at Admirals Bay Drive and Old Stone Drive (District 5).

GENERAL ORDINANCE NO. 24, 1993, amending the Code by authorizing a multi-way stop at Cross Key Drive and Middleton Court and Bridger Court (District 1).

GENERAL ORDINANCE NO. 25, 1993, amending the Code by authorizing a multi-way stop at Dapple Trace and 58th Street (District 9).

GENERAL ORDINANCE NO. 26, 1993, amending the Code by changing the intersection controls at Illinois Street and 32nd Street from a traffic signal to stop signs (District 9).

GENERAL ORDINANCE NO. 27, 1993, amending the Code by changing the parking restrictions on a segment of Brookside Avenue (District 22).

GENERAL ORDINANCE NO. 28, 1993, amending the Code by changing the parking restrictions on College Avenue between 27th Street and Fall Creek Parkway, North Drive (District 22).

GENERAL ORDINANCE NO. 29, 1993, amending the Code by deleting the parking restrictions on Dr. Martin Luther King Jr. Street on the west side from 10th Street to 11th Street (Districts 9, 16).

GENERAL ORDINANCE NO. 30, 1993, amending the Code by authorizing a "No Parking Here to Corner" zone at the intersection of Michigan Street and Gray Street (District 15).

GENERAL ORDINANCE NO. 31, 1993, amending the Code by authorizing a "No Parking Here to Corner" zone at the intersection of Crestview Avenue and 54th Street (Districts 6, 7).

GENERAL ORDINANCE NO. 32, 1993, amending the Code by authorizing a bus stop zone at 1635 West Michigan Street in front of the Goodwill Industries (District 16).

GENERAL ORDINANCE NO. 33, 1993, amending the Code by authorizing a bus stop zone on a segment of Michigan Street in the vicinity of University Blvd. (District 16).

SPECIAL ORDINANCE NO. 1, 1993, authorizing the issuance of the City of Indianapolis, Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1993 (Indianapolis Water Company Project) in an aggregate principal amount not to exceed \$11,600,000.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1993, amending S.W.C.S.S.D.F.O. No. 1, 1992 (Solid Waste Collection Special Service District Annual Budget for 1993) by establishing salary increases for bargaining unit employees for calendar year 1993.

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 March 15, 1993. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 212, 1993. This proposal, sponsored by Councillors Hinkle, Brents, Giffin, Golc and Shambaugh, recognizes the 1992-93 Ben Davis Giants basketball team. Councillor Giffin read the resolution and Councillor Hinkle presented copies of the document to members of the team, Coach Witty and his staff, and Principal Dr. James Mifflin. Coach Witty expressed appreciation for the recognition. Councillor Giffin moved, seconded by Councillor Hinkle, for adoption. Proposal No. 212, 1993 was adopted by unanimous voice vote.

Proposal No. 212, 1993 was retitled SPECIAL RESOLUTION NO. 17, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1993

A SPECIAL RESOLUTION recognizing the 1992-93 Ben Davis Giants basketball team.

WHEREAS, after winning the Marion County Tournament and taking the Indianapolis Sectional, the Regionals, the Semi-State and defeating Carmel by 62-46 in the afternoon State Semi-Final Game, the impressive Ben Davis Giants boys basketball team came close to winning the State Final Championship at the Hoosier Dome on March 27, 1993; and

April 12, 1993

WHEREAS, in a State Championship game which pitted the top two high school teams in the state, Jeffersonville outlasted the 27-3 record Mighty Giants by 66-61; 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 that the 1992-93 Ben Davis Giants boys basketball team outlasted all other teams in Central Indiana to earn the right to play in the championship game of the 83rd annual IHSAA State Finals in the Hoosier Dome.

SECTION 2. The Council congratulates the state's silver medal varsity team members: Don Mallory, Scott George, Jon Chastain, Reece Peacock, Damon Frierson, Ahmed Bellamy, Vince Gurnell, Derick Witty, James Patterson, Micah Reid, Damon Parks and Mark McLaurin.

SECTION 3. The Council also recognizes: Head Coach Steve Witty, Assistants Terry Strahm, Doug Opel and Dave Patz, Volunteer Assistants Jim Peacock and Scott White, Athletic Director Bob Britt, Trainer Mark Lahr, and Managers Josh Constable, Kelli Hewitt, Tracey James, Shane Rosenbaum, Erik Tidd, Jeff Voris and Veronica Wernke, and Principal Dr. James Mifflin.

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. 213, 1993. This proposal, sponsored by Councillors Hinkle, Brents, Giffin, Golc and Shambaugh, recognizes the Ben Davis High School Golf Team. Councillor Hinkle read the resolution and Councillor Golc presented copies of the document to Coach William Despres and members of the team. Coach Despres expressed appreciation for the recognition. Councillor Shambaugh moved, seconded by Councillor Brents, for adoption. Proposal No. 213, 1993 was adopted by unanimous voice vote.

Proposal No. 213, 1993 was retitled SPECIAL RESOLUTION NO. 18, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1993

A SPECIAL RESOLUTION recognizing the Ben Davis High School Golf Team.

WHEREAS, the 1992 Golf Team of Wayne Township's Ben Davis High School enjoyed their most successful season in the history of that sport in the school; and

WHEREAS, the Ben Davis Giants Golf Team was undefeated for the season with a 11-0 record, and won the State Championship; and

WHEREAS, Coach William (Bill) Despres attributes the outstanding season to the team members having learned how to play golf at an early age, and then bringing that background and experience with them to the high school team; 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 the 1992 Ben Davis High School Golf Team for their perfect season record--from the first match all the way through the State Championship Finals.

SECTION 2. The Council recognizes team members: Trent Bell, Jamie Broce, Jason Frank, Erik Cooper, Kevin Kilgore, David Smith, Jon Easter, Jason Euler, Tom Fite and Kyle Meehan; and Golf Coach William (Bill) Despres.

SECTION 3. This winning team serves as an inspiration to all young people of Indianapolis to think long term, to practice even after others have quit, to listen intently to those who are already skilled, and to have a strong will and incessant desire to achieve and become the best.

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.

[Clerk's Note: The following four board appointments were heard in Committee and by unanimous votes, the Committees have recommended to the full Council that the proposals be adopted.]

PROPOSAL NO. 44, 1993. The proposal reappoints Ray R. Irvin to the Board of Parks and Recreation. Proposal No. 44, 1993 was adopted by unanimous voice vote.

Proposal No. 44, 1993 was retitled COUNCIL RESOLUTION NO. 38, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1993

A COUNCIL RESOLUTION reappointing Ray R. Irvin to the Board of Parks and Recreation.

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

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

Ray R. Irvin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. 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. 134, 1993. The proposal reappoints Michael Rodman to the Metropolitan Development Commission. Proposal No. 134, 1993 was adopted by unanimous voice vote.

Proposal No. 134, 1993 was retitled COUNCIL RESOLUTION NO. 39, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1993

A COUNCIL RESOLUTION reappointing Michael 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 appoints:

Michael Rodman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. 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. 135, 1993. The proposal reappoints Randolph L. Snyder to the Metropolitan Development Commission. Proposal No. 135, 1993 was adopted by unanimous voice vote.

Proposal No. 135, 1993 was retitled COUNCIL RESOLUTION NO. 40, 1993 and reads as follows:

April 12, 1993

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1993

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

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

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

Randolph L. Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. 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. 137, 1993. The proposal appoints Charles E. Kendall to the Board of Parks and Recreation. Proposal No. 137, 1993 was adopted by unanimous voice vote.

Proposal No. 137, 1993 was retitled COUNCIL RESOLUTION NO. 41, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1993

A COUNCIL RESOLUTION appointing Charles E. Kendall to the Board of Parks and Recreation.

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

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

Charles E. Kendall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. 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 NOS. 155 and 156, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 155 and 156, 1993 on April 7, 1993. PROPOSAL No. 155, 1993, sponsored by Councillor Boyd, appoints David W. Hamilton to the Marion County Public Defender Board. PROPOSAL No. 156, 1993, sponsored by Councillor Boyd, appoints Virginia Dill McCarty to the Marion County Public Defender Board. By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden stated that Proposal Nos. 155 and 156, 1993 were recommended to the Council with a "do pass" with the contingency that the Presiding Judge of the Municipal Court, Judge Evan Goodman, certify to the Council President by the April 12, 1993 Council meeting the names of the Municipal Courts' appointments to the Public Defender Board. Councillor Dowden asked the President if this has been done. The President said he has not heard from the Presiding Judge. Councillor Dowden moved that Proposal Nos. 155 and 156, 1993 be referred back to the Public Safety and Criminal Justice Committee.

Councillor Boyd stated that he has the names of two persons who have been appointed to the Marion County Public Defender Board by the Municipal Court Judges. Councillor Boyd passed a letter he had received from Judge Evan Goodman to Robert Elrod, General Counsel.

Councillor Boyd said that it is his understanding that the two names were submitted with the advice, consent and counsel of the Municipal Court Judges.

Councillor Smith seconded Councillor Dowden's motion.

The President read the following letter from Judge Goodman:

April 12, 1993

Mr. Robert Elrod
Public Defender Agency
241 City-County Building
Indianapolis, Indiana 46204

Re: Public Defender Agency Board

Dear Mr. Elrod:

It appears that the City-County Council has discharged its obligation to appoint members of the Public Defender Agency Board in a spirit of fairness. In a similar spirit of cooperation, the Municipal Court now makes its appointments to the Public Defender Agency Board as follows:

1. John M. Moses, Republican. Appointment to expire December 31, 1993.
2. Monica Foster, Democrat. Appointment to expire December 31, 1994.

The above appointments are those names which have been suggested by Municipal Court Judges.

Very truly yours,
/s/ Evan Dee Goodman
Presiding Judge, Municipal Court of Marion County

Councillor Dowden asked the President if he believes this letter complies with the Committee's request.

The President responded that the letter does not indicate whether or not these are Judge Goodman's appointments or whether these are the appointments of the Republican minority members of the Municipal Courts.

Councillor Boyd said that it is his understanding that Judge Goodman conferred with and responded to the suggestions which came from the Municipal Court Judges.

Councillor Giffin said that he would like to get the public defender matter settled and voiced his support for John M. Moses as a Republican Municipal Court appointment.

Councillor Golc stated that the President has an opportunity to move ahead on this issue. Councillor Golc said he believes that whether the President agrees or disagrees with how Judge Goodman made his appointments, the bigger issue is to move forward on this matter.

Councillor Coughenour said that she concurs with Councillor Golc and that the Council should accept that the letter meets the requirements that were set forth in committee.

The President asked Councillor Dowden what action he would like to do with his motion.

April 12, 1993

Councillor Dowden said that before the Council votes on the motion he would like to ask the President again if Judge Goodman's letter fulfills the contingency that was placed on the Committee's recommendation of "do pass" on Proposal Nos. 155 and 156, 1993.

The President said that in spite of the fact that he does not believe that the Municipal Courts carried out the spirit of this requirement as suggested by the Committee that perhaps the Council should move forward with these appointments.

Councillor Rhodes asked Mr. Elrod what the make-up of the Public Defender Board is--how many are attorneys and how many are laypeople. Mr. Elrod responded that five of the members are attorneys and four are non-attorneys.

Councillor West said that if the Council had wanted strong lay representation on the board, it should have included that requirement in the ordinance.

Councillor Curry asked if it would be feasible to let these proposals go to Committee with another proviso. If the Council finds out that the Republican minority in the Municipal Courts had wanted another person as their appointment, could the Council as a Whole authorize these appointments be made at the Committee level.

Mr. Elrod replied that the appointments have to be made by the full Council.

Councillor Williams asked that Russ Grunden, Coordinator of Legislative Affairs, Presiding Judge of Municipal Courts, clarify the appointment of John Moses.

Russ Grunden said that Judge Goodman made a good faith effort to get the best input possible from the Republican judges and that when the make-up of the Board was first established he sent a letter to every Municipal Court judge asking for input.

Councillor Coughenour asked if the Republican nominee was submitted by the Republican judges. Mr. Grunden responded in the affirmative.

Councillor Jimison stated that, in her opinion, there should not be any question in anyone's mind but that the intent and spirit have been followed. The Council is fortunate that the Public Defender Board will be composed of such wonderful, honest and integral persons. Councillor West urged that the Council vote not to return these proposals to Committee but to confirm these appointments.

The President asked Councillor Dowden to withdraw his motion. Councillor Dowden asked Councillor Smith, the seconder, if he wished to withdraw. Councillor Smith said he did not wish to withdraw.

Councillor Dowden's motion failed by a majority voice vote.

Proposal No. 155, 1993 was adopted by a majority voice vote. Proposal No. 156, 1993 was adopted by a majority voice vote.

Proposal No. 155, 1993 was retitled COUNCIL RESOLUTION NO. 42, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1993

A COUNCIL RESOLUTION appointing David W. Hamilton to the Marion County Public Defender 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 Marion County Public Defender Board, the Council appoints:

David W. Hamilton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. 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. 156, 1993 was retitled COUNCIL RESOLUTION NO. 43, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1993

A COUNCIL RESOLUTION appointing Virginia Dill McCarty to the Marion County Public Defender 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 Marion County Public Defender Board, the Council appoints:

Virginia Dill McCarty

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 84, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION amending S.R. No. 80, 1992 by clarifying participation dates of County employees who join the Public Employees Retirement Fund;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 179, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$86,214 for the County Auditor to pay the law enforcement continuing education program fees for the law enforcement agencies within Marion County;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 180, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$61,295 for the Department of Administration, Central Equipment Management Division, to purchase a new dump truck;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 181, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning sick leave for police officers;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 182, 1993. 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. 183, 1993. 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. 184, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Walter Stephen Johnes to the Metropolitan Board of Zoning Appeals Division II; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 185, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Deborah Long to the Metropolitan Board of Zoning Appeals Division II; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 186, 1993. 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.

PROPOSAL NO. 187, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing David R. Shirley to the Metropolitan Board of Zoning Appeals Division III; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 188, 1993. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Central Business District Zoning Ordinance to permit "dwelling unit(s)" either as a single building/use or as a part of a building/use in the CBD-2 and CBD-3 Districts; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 189, 1993. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Regional Center Zoning Ordinance to remove the replicative and redundant requirement of obtaining an Improvement Location Permit in order to ratify a change of use after Regional Center Approval has been granted; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 190, 1993. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Improvement Location Permit Ordinance to remove the replicative and redundant requirement of obtaining an Improvement Location Permit in order to ratify a use after a variance of use has been granted by the Board of Zoning Appeals; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 191, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION confirming local court rule authorizing filing of court pleadings by facsimile transmission"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 192, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning pre-trial release fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 193, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$14,227 for the Prosecuting Attorney, acting as subgrantee for the Indiana Criminal Justice Institute, to pay the salary of one domestic violation counsellor for the Salvation Army for its Domestic Violence Victim's Counseling Project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 194, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$10,000 for the Prosecuting Attorney to extend the Street Terrorist Offender Program through September 30, 1993"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 195, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$62,400 for the Prosecuting Attorney to pay the salaries of an additional deputy prosecutor and a probation officer with the new drunk driving program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 196, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$21,851 for the Superior Court, Juvenile Division/Detention Center, to pay the salary of a truancy probation officer"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 197, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,000 for the Superior Court, Juvenile Division/Detention Center to purchase supplies"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 198, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$22,000 for the Marion County Public Defender Agency to increase 1993 appropriations to the amount specified in the 1992 public defender mandate settlement"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 199, 1993. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,600 for the Superior Court, Criminal Division, Probation Department, to fund a workshop series that will provide

assessments of probations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 200, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$64,220 for the Forensic Services Agency to pay the salaries of an additional latent print examiner and a laboratory custodian"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 201, 1993. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving a Board of Public Works resolution regarding the write-off of certain sewer service accounts of \$25 or less"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 202, 1993. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning air pollution control"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 203, 1993. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the subdivisions of Huntington Pointe and Huntington Ridge (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 204, 1993. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing stop signs at Banner Avenue and Dunn Way, and Dunn Way and Prairie Depot (District 19)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 205, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing stop signs at Katherine Drive and Louise Drive (District 25)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 206, 1993. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing stop signs at Allegheny Street and Cincinnati Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 207, 1993. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing a traffic signal for the main entrance of North Willow Mall on West 86th Street (2370 W) (District 3)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 208, 1993. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing (1) a multi-way stop at the intersection of Lafayette Road and Moore Road, and (2) a speed reduction on a segment of Lafayette Road from Wilson Road to County Line Road (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 209, 1993. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection controls from traffic signals to stop signs at Station Street and 25th Street (District 10)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 210, 1993. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing one-way traffic for the alley between College Avenue and 63rd Place (District 11)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 211, 1993. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on a segment of Pepperidge Drive from Mitthoefer Road to dead end (District 5)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 226, 1993. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a public purpose to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$5,000;" and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 177, 1993. Councillor Giffin asked Councillor Ruhmkorff to give the Committee report since he had to abstain from voting on the proposal in Committee. Councillor Ruhmkorff reported that the Economic Development Committee heard Proposal No. 177, 1993 on April 7, 1993. The proposal amends S.O. 1, 1993 which authorizes the issuance of City of Indianapolis, Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1993 (Indianapolis Water Company Project) in an aggregate principal amount not to exceed \$11,600,000 and amends the authorized redemption provisions and certain other matters. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Ruhmkorff moved, seconded by Councillor Jones, for adoption. Proposal No. 177, 1993 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

8 NOT VOTING: Black, Brents, Franklin, Giffin, Gilmer, Hinkle, Mullin, O'Dell

Councillor Giffin abstained from voting due to a conflict of interest.

Proposal No. 177, 1993 was retitled SPECIAL ORDINANCE NO. 2, 1993 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1993

A SPECIAL ORDINANCE amending City-County Special Ordinance No. 1, 1993 relating to the issuance by the City of Indianapolis of its "Economic Development Water Facilities Refunding Revenue Bonds, Series 1993

April 12, 1993

(Indianapolis Water Company Project)" in an aggregate principal amount not to exceed \$11,600,000 and approving and authorizing other actions in respect thereto.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County (the "City-County Council") has heretofore, on March 15, 1993, adopted Special Ordinance No. 1, 1993 entitled "A Special Ordinance Authorizing the City of Indianapolis to issue its Economic Development Water Facilities Refunding Revenue Bonds, Series 1993 (Indianapolis Water Company Project)" in an aggregate principal amount not to exceed \$11,600,000 and approving and authorizing other actions in respect thereto" (the "Special Ordinance"); and

WHEREAS, the City-County Council, pursuant to the Special Ordinance, previously approved the final forms of the Indenture of Trust, Loan Agreement, Guaranty Agreement, Bond Purchase Agreement, Preliminary Official Statement and the form of the Economic Development Water Facilities Refunding Revenue Bonds, Series 1993 (Indianapolis Water Company Project) (the "Bonds") (hereinafter referred to collectively as the "Financing Documents") and;

WHEREAS, the Financing Documents provided for redemption of the Bonds at the option of the City of Indianapolis (the "City"), at the election and direction of the Indianapolis Water Company (the "Company"), prior to stated maturity in whole or in part on any date on or after May 1, 2000 at a redemption price of 101% of the principal amount of the Bonds or any portions thereof so redeemed, plus accrued interest to the redemption date; and

WHEREAS, the Indianapolis Economic Development Commission (the "Commission") on April 7, 1993, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the optional redemption provisions set forth in the Financing Documents should be amended; and

WHEREAS, the Commission has approved final forms of amended Financing Documents by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. The forms of the Financing Documents previously approved by the County-Council have been amended to provide that the Bonds shall not be subject to optional redemption prior to stated maturity, and such amended Financing Documents as previously approved by the Commission are hereby approved and all such amended Financing Documents 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 amended Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 2. The provisions of this ordinance and the amended Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 178, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 178, 1993 on April 7, 1993. The proposal amends S.R. 76, 1991 by extending the expiration date on the Inducement Resolution for Allison Gas Turbine Division to October 31, 1993. By a 4-0-1 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. 178, 1993 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West*

0 NAYS:

6 NOT VOTING: *Black, Coughenour, Golc, Hinkle, Smith, Williams*

Councillor Smith abstained from voting due to a possible conflict of interest.

Proposal No. 178, 1993 was retitled SPECIAL RESOLUTION NO. 19, 1993' and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1993

A SPECIAL RESOLUTION amending City-County Special Resolution No. 76, 1991 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 pollution control facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company; and

WHEREAS, City-County Special Resolution No. 76, 1991, 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 pollution control facilities to be developed by Allison Gas Turbine Division (the "Company") which Inducement Resolution set an expiration date of April 30, 1993, unless the pollution control 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 April 30, 1993, contained therein and replacing said date with the date of October 31, 1993.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section I 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. 214-222, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 8, 1993."

Councillor Rhodes moved that Proposal Nos. 214, 215 and 216, 1993 be scheduled for a public hearing:

Mr. President:

I move that Proposal Nos. 214, 215 and 216, 1993 (Rezoning Case Nos. 92-Z-127A, 92-Z-127B and 92-Z-127C) be scheduled for a hearing before this Council at its next regular meeting on April 26, 1993 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

/s/ Stuart Rhodes, Councillor

The President asked for consent to withdraw the proposals for public hearing. Consent was given. Proposal Nos. 214, 215 and 216, 1993 are identified as follows:

April 12, 1993

92-Z-127A WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT #04.
3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.
JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 7.025 acres, being in the D-A District, to the SU-I classification to provide for a church.

92-Z-127B WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT #04.
3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.
JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 11.923 acres, being in the D-A District, to the D-5 classification to provide for residential development.

92-Z-127C WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT #04.
3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.
JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 21.709 acres, being in the D-A District, to the D-4 classification to provide for residential development.

Councillor Dowden moved that Proposal No. 217, 1993 be scheduled for a public hearing:

Mr. President:

I move that Proposal No. 217, 1993 (Rezoning Case No. 92-Z-132) be scheduled for a hearing before this Council at its next regular meeting on April 26, 1993 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

/s/ William Dowden, Councillor

The President asked for consent to withdraw the proposal for public hearing. Consent was given. Proposal No. 217, 1993 is identified as follows:

92-Z-132 WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT # 04.
4920 EAST 56TH STREET (approximate address), INDIANAPOLIS.
PARK PLAZA ASSOCIATES, LTD, by Thomas Michael Quinn, requests the rezoning of 2.76 acres, being in the D-A District, to the C-3 classification to provide for commercial uses.

The Council did not schedule Proposal Nos. 218-222, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 218-222, 1993 were retitled REZONING ORDINANCE NOS. 39-43, 1933 and are identified as follows:

REZONING ORDINANCE NO. 39, 1993. 93-Z-13 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.
6351 FIVE POINTS ROAD (approximate address), INDIANAPOLIS.
GLEN I. and ALMA M. PERSONETT request the rezoning of 66.6 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 40, 1993. 93-Z-16 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
2999 NORTH RACEWAY ROAD (approximate address), INDIANAPOLIS.
JWS PARTNERSHIP requests the rezoning of 1.14 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 41, 1993. 93-Z-22 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 03.
5120 EAST 82ND STREET (approximate address), INDIANAPOLIS.
BARBARA HANSON-SLAFF, by Wilson S. Stober, requests the rezoning of 3.91 acres, being in the C-S District, to the C-S classification to provide for office uses, bank, fabric store, florist, and other similar low-intensity retail commercial uses.

REZONING ORDINANCE NO. 42, 1993. 93-Z-24 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
1720 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.
DONALD C. SKILES requests the rezoning of 9.2 acres, being in the D-A District, to the D-5 classification to provide for residential development.

REZONING ORDINANCE NO. 43, 1993. 93-Z-26 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 01.
6719 COFFMAN ROAD (approximate address), INDIANAPOLIS.
TIMBER PARK DEVELOPMENT CORPORATION, by John W. Van Buskirk, requests the rezoning of 5.9 acres, being in the I-2-S District, to the D-4 classification to provide for residential development.

PROPOSAL NO. 223-225, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 8, 1993". The Council did not schedule Proposal Nos. 223-225, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 223-225, 1993 were retitled REZONING ORDINANCE NOS. 44-46, 1993 and are identified as follows:

REZONING ORDINANCE NO. 44, 1993. 93-Z-2 (Amended) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 05.
6410 WINONA DRIVE (approximate address), INDIANAPOLIS.
CROOKED CREEK AT GEIST DEVELOPMENT CO., INC., by Thomas Michael Quinn, requests the rezoning of 42.2 acres, being in the D-2 and D-1 Districts to the D-2 classification to provide for residential development.

REZONING ORDINANCE NO. 45, 1993. 93-Z-20 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.
529-545 LORD STREET (approximate address), INDIANAPOLIS.
DAVID C. COOK and KENNETH KEMP request the rezoning of 0.413 acre, being in the I-4-U District, to the D-8 classification to provide for single-family residential development within a historic district.

REZONING ORDINANCE NO. 46, 1993. 93-Z-29 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.
620 EAST GEORGIA STREET (approximate address), INDIANAPOLIS.
DEPARTMENT OF METROPOLITAN DEVELOPMENT, NEIGHBORHOOD AND DEVELOPMENT SERVICES, requests the rezoning of 1.4 acres, being in the I-4-U/RC and CID/RC Districts, to the CBD-S/RC classification to provide for a parking lot for Farm Bureau Insurance employees.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 653, 1992. The proposal appropriates \$30,000 for the Marion County Public Defender Agency to technically amend its 1993 budget. Councillor Dowden asked for consent to postpone Proposal No. 653, 1992 until May 10, 1993. Consent was given.

PROPOSAL NO. 148, 1993. Councillor Ruhmkorff reported that the Community Affairs Committee heard Proposal No. 148, 1993 on March 24, 1993. The proposal determines not to allow the Marion County Department of Public Welfare to borrow, on a short-term basis, \$19,350,000 to fund welfare services for the remainder of 1993, and authorizes the County Auditor, upon receipt of an order from the State Board of Tax Commissioners, to borrow \$19,350,000 from a financial institution on behalf of the Marion County Department of Public Welfare to pay for the department's welfare obligations pursuant to IC 12-19-5 and appropriates the proceeds of the borrowing. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Franklin voiced his support of Proposal No. 148, 1993. He said that the welfare system has to be reviewed. The average monthly cost of housing wards of the county has increased from \$2,700 in 1989 to \$3,800 last year. He asked John von Arx, County Auditor, to share some of the financial ideas he has concerning welfare.

Mr. von Arx stated that the County has hired Michael Mielke who is a nationally known consultant in this field to help the County maximize its receipt of federal reimbursement money for housing troubled youths and to work on obtaining grants to increase the availability of alternative treatment programs such as foster care.

Councillor Smith applauded the County Auditor's efforts.

Councillor Moriarty asked Mr. von Arx how much will property taxes increase per \$100 of assessed valuation if the County has to fund this welfare deficit. Mr. von Arx replied that it will mean an increase of thirty cents per \$100 of assessed valuation in 1994.

Councillor Williams suggested that the Service, Efficiency and Lower Taxes for Indianapolis Commission (SELTIC) look into the welfare problems. Councillor West said that Mr. Mielke has an office in the Mayor's Office and would welcome a discussion with any councillors who are interested in this matter.

The President called for public testimony at 8:58 p.m. There being no one present to testify, Councillor Ruhmkorff moved, seconded by Councillor Franklin, for adoption. Proposal No. 148, 1993 was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jones, McClamroch, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams

6 NAYS: Borst, Boyd, Golc, Moriarty, Mullin Short

1 NOT VOTING: Jimison

Proposal No. 148, 1993 was retitled SPECIAL ORDINANCE NO. 3, 1993 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1993

A SPECIAL ORDINANCE determining not to allow the Marion County Department of Public Welfare to borrow money pursuant to IC 12-19-5-5 to fund welfare services; authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissioners pursuant to IC 12-19-5-7, to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) from a financial institution on behalf of the County Department of Public Welfare to pay for the Department's County welfare obligations; and appropriating the proceeds of the borrowing.

WHEREAS, the Welfare Director of Marion County (the "Director") has determined that the welfare fund of Marion County, Indiana (the "County"), will be exhausted before the end of the fiscal year ending December 31, 1993; and

WHEREAS, the Director has appealed to the State Division of Family and Children (the "Division") for the right to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) on a short term basis to fund welfare services in the County; and

WHEREAS, in said appeal, the Director has shown: (i) that the amount of money contained in the welfare fund of the County will not be sufficient to fund services required to be provided within the County by IC 12-19; and (ii) that the Director estimates that Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) will be needed to fund that deficit; and

WHEREAS, upon receipt of said appeal, the Division: (i) held a public hearing on the topic of whether the County should be allowed to borrow money, (ii) determined that the welfare fund of the County will be exhausted before it can fund all County obligations incurred under IC 12-19, (iii) adopted a resolution at that meeting supporting the proposal to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000), and (iv) transmitted said resolution to the Director; and

WHEREAS, upon receipt of said resolution, the Director submitted the appeal and the Division's resolution to the Board of Commissioners of the County (the "Board of Commissioners") and the Mayor of the City of Indianapolis, Indiana (the "Mayor"); and

WHEREAS, upon receipt of said request, the Board of Commissioners and the Mayor determined that sufficient funds are not available in any other County fund and therefore determined not to loan the requested amount to the County Department of Public Welfare (the "Department"); and

WHEREAS, the Board of Commissioners and the Mayor submitted the request to the Auditor of the County (the "Auditor"), who requested a special meeting of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), at which meeting the City-County Council is to determine whether or not to allow the Department to borrow money; and

WHEREAS, the City-County Council has found and determined that the appeal and request of the Director should not be granted and that the Department should not be allowed to borrow money under IC 12-19-5-5; and

WHEREAS, IC 12-19-5-6 provides that, if the City-County Council determines that the Board should not be allowed to borrow money under IC 12-19-5-5, the Director may appeal to the State Board of Tax Commissioners for the right to borrow money to pay for the Department's County welfare obligations; and

WHEREAS, upon such an appeal, the State Board of Tax Commissioners, pursuant to IC 12-19-5-7, may order the Auditor to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) from a financial institution on behalf of the Department; and

WHEREAS, the City-County Council hereby finds and determines that, upon receipt of such an order (an "Order"), it will be necessary for the County to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) from a financial institution on behalf of the Department and to issue notes in the aggregate principal amount of Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) (the "Notes"), in order to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1993, including payment of costs of issuance of the Notes; and

WHEREAS, the City-County Council hereby finds and determines that, upon receipt of an Order, the County will not have sufficient moneys available or provided for in the existing budgets and tax levies which may be applied to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1993, including payment of costs of issuance of the Notes, making it a necessity for the making of the additional appropriation hereinafter set out; now therefore:

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

SECTION 1. The City-County Council hereby finds and determines that the appeal and request of the Director is not granted and that the Department should not be allowed to borrow money under Indiana Code 12-19-5-5 to fund welfare services in the County.

SECTION 2. Upon receipt of an Order, the Auditor is hereby authorized and directed to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) from a financial institution on behalf of the Department to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1993, including payment of costs of issuance of any notes evidencing such borrowing. In order to procure this loan, this City-County Council is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation notes of the County, to be designated as "Marion County, Indiana, Public Welfare General Obligation Notes of 1993," in the aggregate principal amount of Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) (the "Notes"). The Notes shall be issued in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the Notes maturing on any semi-annual maturity date, shall be numbered consecutively from 93R-1 upwards, and shall bear interest at a rate or rates not exceeding eight percent (8%) per annum (the exact rate or rates to be determined by negotiation with a financial institution (the "Bank") as determined by the Auditor), which interest shall be payable semi-annually on the thirtieth (30th) day of June and the thirtieth (30th) day of December of each year, commencing June 30, 1994. Interest shall be calculated on the basis of the actual number of days elapsed during a three hundred sixty-five (365) day year. The Notes shall mature in two (2) semi-annual series, each series being payable on the dates and in the amounts as follows:

April 12, 1993

<u>Date</u>	<u>Principal Amount</u>
June 30, 1994	\$9,675,000
December 30, 1994	\$9,675,000

The principal of the Notes shall be payable at the office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on the Notes shall be paid by check or draft mailed or delivered to the registered owner thereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by such registered owner. All payments on the Notes shall be made in any coin or currency of the United States of America, which on the dates of such payments shall be legal tender for the payment of public and private debts.

Each Note shall be transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Note or Notes in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of Notes following the fifteenth (15th) day of the month of an interest payment date on the Notes until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name any Note is registered as the absolute owner thereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any Note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new Note of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new Note shall be marked in a manner to distinguish it from the Note for which it was issued, provided that, in the case of any mutilated Note, such mutilated Note shall first be surrendered to the County and the Registrar, and, in the case of any lost, stolen or destroyed Note, there shall be first furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such lost, stolen or destroyed Note shall have matured, instead of issuing a duplicate Note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. In such event, the County and the Registrar may charge the holder of such Note with their reasonable fees and expenses in connection with the above. Every substitute Note issued by reason of any Note being lost, stolen or destroyed shall, with respect to such Note, constitute a substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Note shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Notes duly issued hereunder.

The Notes shall bear an original date which shall be the day on which the Notes are initially delivered to the purchaser or purchasers thereof, and each Note shall also bear the date of its authentication. Notes authenticated on or before June 15, 1994, shall be paid interest from the original date. Notes authenticated thereafter shall be paid interest from the interest payment date next preceding the date of authentication of such Notes unless the Notes are authenticated between the fifteenth (15th) day of the month of an interest payment date and the interest payment date, in which case interest thereon shall be paid from such interest payment date.

The Notes shall be executed in the name of the County by the manual or facsimile signatures of the Board of Commissioners and attested by the manual or facsimile signature of the Auditor, who shall cause the official seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced on each of the Notes. Subject to the provisions for registration, the Notes shall be negotiable under the laws of the State of Indiana.

The Notes shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Note shall be valid or obligatory for any purpose until the certificate of authentication on such Note shall have been so executed.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of Notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of Notes shall be deemed to be given when mailed

by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

SECTION 2. The form and tenor of the Notes shall be substantially as follows (all blanks to be properly completed prior to the preparation of the Notes):

[Form of Note]

UNITED STATES OF AMERICA

State of Indiana

County of Marion

No. 93R-_____

\$ _____

MARION COUNTY, INDIANA
PUBLIC WELFARE GENERAL OBLIGATION NOTE OF 1993

INTEREST RATE	MATURITY DATE	ORIGINAL DATE	AUTHENTICATION DATE
------------------	------------------	------------------	------------------------

REGISTERED OWNER:

PRINCIPAL SUM:

The County of Marion, in the State of Indiana (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the registered owner (named above) or registered assigns, the principal amount set forth above on the maturity date set forth above, and to pay interest on said principal sum to the registered owner of this note until the County's obligation with respect to the payment of said principal sum shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of the authentication of this note, unless this note is authenticated on or before June 15, 1994, in which case interest shall be paid from the original date specified above, or unless this note is authenticated between the fifteenth (15th) day of the month of an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest shall be payable on the thirtieth (30th) day of June and the thirtieth (30th) day of December of each year, commencing 1994. Interest shall be calculated on the basis of the actual number of days elapsed during a three hundred sixty-five (365) day year.

The principal of this note is payable at the principal office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on this note shall be paid by check or draft mailed or delivered to the registered owner hereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by the registered owner. All payments on this note shall be made in any coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts. Subject to the provisions for registration, this note is negotiable under the laws of the State of Indiana.

This note is one of an authorized issue of notes of the County of Marion, Indiana, aggregating Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000), numbered consecutively from 93R-1 upwards, issued pursuant to the provisions of Title 12, Article 19, Chapter 5 of the Indiana Code (the "Act"), and in accordance with an ordinance adopted by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), on the _____ day of _____, 1993, entitled "Special Ordinance No. _____ --A SPECIAL ORDINANCE determining not to allow the Marion County Department of Public Welfare to borrow money pursuant to IC 12-19-5-5 to fund welfare services; authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissioners pursuant to IC 12-19-5-7, to borrow Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000) from a financial institution on behalf of the County Department of Public Welfare to pay for the Department's County welfare obligations; and appropriating the proceeds of the borrowing" (the "Ordinance"), authorizing the making of a loan by the City-County Council to pay for the Marion County Department of Public Welfare's County welfare obligations during the fiscal year ending December 31, 1993, including payment of costs of issuance of said notes. Pursuant to the Act, the Auditor of Marion County, Indiana, is required to levy a property tax, beginning in 1994 and continuing for the term of the loan, in an amount each year that will be sufficient to pay the principal and interest due on the loan for the year.

This note is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered note or notes in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of this note following the fifteenth (15th) day of the month of an interest payment date on this note until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name this note is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

In the event this note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new note of like date, maturity and denomination as this note, which new note shall be marked in a manner to distinguish it from this note, provided that, in the case of this note being mutilated, this note shall first be surrendered to the County and the Registrar, and, in the case of this note being lost, stolen or destroyed, there shall first be furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnify satisfactory to them. In the event that this note, being lost, stolen or destroyed, shall have matured, instead of issuing a duplicate note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay this note without surrender hereof. In such event, the County and the Registrar may charge the holder of this note with their reasonable fees and expenses in connection with the above. Every substitute note issued by reason of this note being lost, stolen or destroyed shall, with respect to this note, constitute a substitute contractual obligation of the County, whether or not this note, being lost, stolen or destroyed, shall be found at any time, and shall be entitled to all the benefits of the Ordinance referred to above, equally and proportionately with any and all other notes duly issued thereunder.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of notes shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

The notes maturing on any semi-annual maturity date are issuable only in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the notes maturing on such date.

The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the notes, adopt ordinances supplemental to the Ordinance (which supplemental ordinances shall thereafter form a part of the Ordinance) for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in the Ordinance or in any supplemental ordinance;
- (b) To grant to or confer upon the owners of the notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the notes;
- (c) To modify, amend or supplement the Ordinance to permit the qualification of the notes for sale under the securities laws of the United States of America or of any of the states of the United States of America or to obtain or maintain bond insurance with respect to payments of principal of and interest on the notes;
- (d) To provide for the refunding or advance refunding of the notes;
- (e) To procure a rating on the notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the notes;
or
- (f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the notes.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the County and the owners of the notes may (with certain exceptions as stated in the Ordinance) be modified or amended at any time with the consent of the owners of at least sixty percent (60%) in aggregate principal amount of outstanding notes, exclusive of notes, if any, owned by the County.

If this note or any portion hereof shall have become due and payable in accordance with its terms and the whole amount of the principal and interest so due and payable upon this note or such portion hereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event this note or such portion hereof shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this note have been done and performed in regular and due form as provided by law; that this note and said total issue of notes is within every limit of indebtedness provided by the constitution and laws of the State of Indiana, and that the full faith and credit of Marion County together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this note according to its terms.

This note shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the County of Marion, Indiana, has caused this note to be executed by the manual or facsimile signatures of its duly elected, qualified and acting Board of Commissioners and attested by the manual or facsimile signature of the duly elected, qualified and acting Auditor of Marion County, Indiana, who has caused the official corporate seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced hereon.

THE COUNTY OF MARION, INDIANA

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF MARION, INDIANA

By: _____

(SEAL)

ATTEST:

Auditor, County of Marion, Indiana

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This note is one of the notes described in the within mentioned Ordinance.

TREASURER, COUNTY OF MARION, INDIANA

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto (insert name and address) _____ the within note and all rights thereunder, and

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hereby irrevocably constitutes and appoints _____, attorney to transfer the within note on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within note in every particular, without alternation or enlargement or any change whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

[End of Note]

SECTION 4. As soon as can be done after the passage of this Ordinance, the Auditor shall negotiate for the sale of the Notes with a financial institution. The Notes shall be sold at any interest rate or rates not exceeding eight percent (8%) per annum, and may be subject to any premium or discount, all as determined through negotiation with the financial institution, consistent with the best interest of the County and the terms of this Ordinance.

Prior to the delivery of the Notes, the Auditor shall be authorized to obtain a legal opinion as to the validity of the Notes from Barnes & Thornburg, Indianapolis, Indiana, and to furnish such opinion to the purchaser or purchasers of the Notes. The cost of such opinion shall be considered as part of the costs of issuance of the Notes and shall be paid out of proceeds of the Notes.

SECTION 5. The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the Notes, adopt ordinances supplemental hereto (which supplemental ordinances shall thereafter form a part hereof) for any one or more of the following purposes:

(a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance;

(b) To grant to or confer upon the owners of the Notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the Notes;

(c) To modify, amend or supplement this Ordinance to permit the qualification of the Notes for sale under the securities laws of the United States of America or of any of the states of the United States of America or to obtain or maintain bond insurance with respect to payments of principal of and interest on the Notes;

(d) To provide for the refunding or advance refunding of the Notes;

(e) To procure a rating on the Notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Notes; or

(f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the Notes.

This Ordinance and the rights and obligations of the County and the owners of the Notes may be modified or amended at any time by supplemental ordinances adopted by the City-County Council with the consent of the owners of the Notes holding at least sixty percent (60%) in aggregate principal amount of the outstanding Notes (exclusive of Notes, if any, owned by the County); provided, however, that no such modification or amendment shall, without the express consent of the owners of the Notes affected, reduce the principal amount of any Note, reduce the interest rate or premium payable thereon, advance the earliest redemption date, extend its maturity or the times for paying interest thereon, permit a privilege or priority of any Note or Notes over any

other Note or Notes, create a lien securing any Notes other than a lien ratably securing all of the Notes outstanding, or change the monetary medium in which principal and interest are payable, nor shall any such modification or amendment reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment so consented to shall be binding upon all the owners of the Notes and shall not be deemed an infringement of any of the provisions of this Ordinance, and may be done and performed as fully and freely as if expressly permitted by the terms of this Ordinance, and, after such consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the City-County Council or any officer of the County from taking any action pursuant thereto.

If the City-County Council shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the respective owners of the Notes at their addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Notes. The Registrar shall not, however, be subject to any liability to any owners of the Notes by reason of its failure to mail the notice described in this Section 5, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as provided in this Section 5.

Whenever at any time within one (1) year after the date of the mailing of such notice, the City-County Council shall receive an instrument or instruments purporting to be executed by the owners of the Notes of not less than sixty percent (60%) in aggregate principal amount of the Notes then outstanding (exclusive of Notes, if any, owned by the County), which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City-County Council may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Notes, whether or not such owner shall have consented thereto.

Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 5, this Ordinance shall be, and be deemed to be, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such modifications and amendments.

SECTION 6. If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal and interest so due and payable upon the Notes or such portion thereof then outstanding shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event the Notes or such portion thereof shall no longer be deemed outstanding or an indebtedness of the County.

SECTION 7. In order to preserve the exclusion from gross income of interest on the Notes under federal law, the County represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

(a) No person or entity or any combination thereof, other than the County or any other governmental unit ("Governmental Unit") within the meaning of Section 141(b)(6) and Section 150 (a)(2) of the Internal Revenue Code of 1986, as amended and as in effect on the date of delivery of the Notes (the "Code"), will use any proceeds of the Notes or property financed by such proceeds other than as a member of the general public; and no person or entity or any combination thereof other than the County or any other Governmental Unit will own any property financed out of the proceeds of the Notes or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or other type of output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use of such property by the public at large;

(b) No Note proceeds will be lent to any entity or person; and no Note proceeds will be transferred directly or indirectly transferred or deemed transferred to a person other than a Governmental Unit in a fashion that would in substance constitute a loan of such Note proceeds;

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(c) The County will not take any action or fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Notes pursuant to Section 103(a) of the Code, and the City-County Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such exclusion; the County further covenants that it will not make any investment or do any other act or thing during the period that any Note is outstanding hereunder which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Notes; and the County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable;

(d) All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Notes are issued, and to make covenants on behalf of the County evidencing the County's commitments made herein and, in particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Notes are issued and (ii) the representations and covenants made herein by the County regarding the amount and use of the proceeds of the Notes; and

(e) The County is hereby authorized and directed to employ consultants and attorneys from time to time to advise the County with respect to the requirements under federal law for the continuing preservation of the exclusion of interest on the Notes from gross income for purposes of federal income taxation.

SECTION 8. Notwithstanding any other provision of this Ordinance, any of the covenants and authorizations contained in this Ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income for purposes of federal income taxation (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 9. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the city in which the Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 10. The Auditor is hereby authorized and directed to have the Notes prepared and cause to be affixed thereto the official seal of the County, or to have printed or otherwise reproduced thereon a facsimile of such seal, and the Board of Commissioners and the Auditor are hereby authorized and directed to execute the Notes manually or with a facsimile of their signatures in the form and manner herein provided.

SECTION 11. The proceeds from the sale of the Notes, in the amount of Nineteen Million Three Hundred Fifty Thousand Dollars (\$19,350,000), are hereby appropriated in Character 03 of the Welfare General Fund for the benefit of the County Department of Welfare for the fiscal year ending December 31, 1993, including payment of costs of issuance of the Notes.

SECTION 12. This Ordinance shall be in full force an effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 149, 1993. Councillor Ruhmkorff reported that the Community Affairs Committee heard Proposal No. 149, 1993 on March 24, 1993. The proposal grants the request of the Marion County Department of Public Welfare to borrow, on a short-term basis, \$19,350,000 to pay the cost of providing welfare services for the remainder of 1993, and authorizes and orders the County Auditor to borrow such funds from a financial institution and issue notes evidencing the borrowed funds and appropriating the borrowed funds. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

The President called for public testimony at 8:58 p.m. There being no one present to testify, Councillor Ruhmkorff moved, seconded by Councillor Franklin, to strike. Proposal No. 149, 1993 was stricken by unanimous voice vote.

PROPOSAL NO. 150, 1993. Councillor Ruhmkorff reported that the Community Affairs Committee heard Proposal No. 150, 1993 on March 24, 1993. The proposal appropriates \$3,914,984 for the Department of Public Welfare to pay the expenses of wards in institutions. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:59 p.m. There being no one present to testify, Councillor Ruhmkorff moved, seconded by Councillor Coughenour, for adoption. Proposal No. 150, 1993 was adopted on the following roll call vote; viz:

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

Proposal No. 150, 1993 was retitled FISCAL ORDINANCE NO. 18, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1993

A FISCAL ORDINANCE amending the Department of Public Welfare Annual Budget for 1993 (City-County Fiscal Ordinance No. 58, 1992) appropriating an additional Three Million Nine Hundred Fourteen Thousand Nine Hundred Eighty-four Dollars (\$3,914,984) in the Welfare General Fund for purposes of the Department of Public Welfare and reducing the unappropriated and unencumbered balance in the Welfare 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 1 of the Department of Public Welfare Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Welfare to appropriate from an available 1992 fund balance to pay for the expenses of wards in institutions.

SECTION 2. The sum of Three Million Nine Hundred Fourteen Thousand Nine Hundred Eighty-four Dollars (\$3,914,984) 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>DEPARTMENT OF PUBLIC WELFARE</u>	<u>WELFARE GENERAL FUND</u>
3. Other Services and Charges	<u>\$3,914,984</u>
TOTAL INCREASE	\$3,914,984

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

	<u>WELFARE GENERAL FUND</u>
Unappropriated and Unencumbered Welfare General Fund	<u>\$3,914,984</u>
TOTAL REDUCTION	\$3,914,984

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

PROPOSAL NO. 152, 1993. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 152, 1993 on March 25, 1993. The proposal appropriates \$557,000 for the Department of Parks and Recreation, Natural Resources Division, to pay for

tree maintenance and other contractual services. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:00 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Jones, for adoption. Proposal No. 152, 1993 was adopted on the following roll call vote; viz:

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

Proposal No. 152, 1993 was retitled FISCAL ORDINANCE NO. 19, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Five Hundred Fifty-seven Thousand Dollars (\$557,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Natural Resources Division, and reducing the unappropriated and unencumbered balance in the Park 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 I.01 of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Natural Resources Division, to utilize money received in December of 1992 from the Federal Emergency Management Agency to pay for tree maintenance and other contractual services that are the result of the June 1992 wind storm.

SECTION 2. The sum of Five Hundred Fifty-seven Thousand Dollars (\$557,000) 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:

DEPARTMENT OF PARKS AND RECREATION	
<u>NATURAL RESOURCES DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	<u>\$557,000</u>
TOTAL INCREASE	\$557,000

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>\$557,000</u>
TOTAL REDUCTION	\$557,000

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

PROPOSAL NO. 153, 1993. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 153, 1993 on March 25, 1993. The proposal appropriates \$134,000 for the Department of Parks and Recreation, Support Services Division, to develop a strategic plan for parks and recreation. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:08 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 153, 1993 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Black*

2 NOT VOTING: *Hinkle, Ruhmkorff*

Proposal No. 153, 1993 was retitled FISCAL ORDINANCE NO. 20, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional One Hundred Thirty-four Thousand Dollars (\$134,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Support Services Division, and reducing the unappropriated and unencumbered balance in the Park 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 1.01 of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Support Services Division, to re-appropriate the unexpended and unencumbered balance of a 1992 grant from Lilly Endowment in order to develop a strategic plan for Parks and Recreation.

SECTION 2. The sum of One Hundred Thirty-four Thousand Dollars (\$134,000) 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:

DEPARTMENT OF PARKS AND RECREATION	
<u>SUPPORT SERVICES DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	\$134,000
TOTAL INCREASE	\$134,000

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	\$134,000
TOTAL REDUCTION	\$134,000

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

PROPOSAL NO. 154, 1993. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 154, 1993 on March 25, 1993. The proposal appropriates \$11,868 for the Department of Parks and Recreation, Marketing Services Division, to continue the Youth Conservation Corp Build-A-Park Program in 1993. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

April 12, 1993

The President called for public testimony at 9:11 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 154, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Hinkle, Ruhmkorff*

Proposal No. 154, 1993 was retitled FISCAL ORDINANCE NO. 21, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Eleven Thousand Eight Hundred Sixty-eight Dollars (\$11,868) in the Park General Fund for purposes of the Department of Parks and Recreation, Marketing Services Division, and reducing the unappropriated and unencumbered balance in the Park 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 1.01 of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Marketing Services Division, to receive the balance of a 70-30% matching grant awarded in 1992 by the National Park Service for the Youth Conservation Corp Build-A-Park Program.

SECTION 2. The sum of Eleven Thousand Eight Hundred Sixty-eight Dollars (\$11,868) 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:

DEPARTMENT OF PARKS AND RECREATION	
<u>MARKETING SERVICES DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	\$11,868
TOTAL INCREASE	\$11,868

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	\$11,868
TOTAL REDUCTION	\$11,868

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

PROPOSAL NO. 157, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 157, 1993. The proposal, sponsored by Councillor Moriarty, appropriates \$317 for the Presiding Judge of the Municipal Court to purchase supplies for the GED/Literacy Program funded by grants from Indiana Black Expo, Inc. and Melvin Simon & Associates. 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 9:13 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 157, 1993 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Hinkle, O'Dell, Ruhmkorff*

Proposal No. 157, 1993 was retitled FISCAL ORDINANCE NO. 22, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Three Hundred Seventeen Dollars (\$317) in the County Grants Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (cc) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to appropriate funds from Indiana Black Expo, Inc. and Melvin Simon and Associates, Inc. to pay for supplies for the Municipal Probation GED/Literacy Program.

SECTION 2. The sum of Three Hundred Seventeen Dollars (\$317) 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>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	<u>\$317</u>
TOTAL INCREASE	<u>\$317</u>

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>\$317</u>
TOTAL REDUCTION	<u>\$317</u>

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

PROPOSAL NO. 158, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 158, 1993 on April 7, 1993. The proposal appropriates \$20,272 for the Auditor to provide fringe benefits for Juvenile Court's companion Proposal No. 109, 1993. 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 9:14 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 158, 1993 was adopted on the following roll call vote; viz:

April 12, 1993

25 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

4 NOT VOTING: *Brents, Hinkle, O'Dell, Ruhmkorff*

Proposal No. 158, 1993 was retitled FISCAL ORDINANCE NO. 23, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Twenty Thousand Two Hundred Seventy-two Dollars (\$20,272) in the County General Fund for purposes of the County Auditor 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 1.02 (b) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor to provide fringe benefits for the Juvenile Court's companion Proposal No. 109, 1993.

SECTION 2. The sum of Twenty Thousand Two Hundred Seventy-two Dollars (\$20,272) 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 AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services (fringes)	<u>\$20,272</u>
TOTAL INCREASE	<u>\$20,272</u>

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$20,272</u>
TOTAL REDUCTION	<u>\$20,272</u>

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

PROPOSAL NO. 159, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 159, 1993 on April 7, 1993. The proposal appropriates \$44,271 for the Marion County Justice Agency to conduct the Drug Use Forecasting Program through an inter-agency agreement with the National Institute of Justice. 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 9:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 159, 1993 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, SerVaas, Shambaugh, Short, Smith, West*

1 NAY: *Black*

5 NOT VOTING: *Golc, O'Dell, Ruhmkorff, Schneider, Williams*

Proposal No. 159, 1993 was retitled FISCAL ORDINANCE NO. 24, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Forty-four Thousand Two Hundred Seventy-one Dollars (\$44,271) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (dd) and (b) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to continue conducting the Drug Use Forecasting Program in Marion County through an inter-agency agreement with the National Institute of Justice..

SECTION 2. The sum of Forty-four Thousand Two Hundred Seventy-one Dollars (\$44,271) 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 JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$37,606
2. Supplies	1,000
3. Other Services and Charges	400
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>5,265</u>
TOTAL INCREASE	\$44,271

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>\$44,271</u>
TOTAL REDUCTION	\$44,271

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

PROPOSAL NO. 160, 1993. The proposal appropriates \$372,074 for the Marion County Justice Agency to remit the final arbitrage payment on the JUSTIS bond and to cover repair expenses and the purchase of new equipment for the JUSTIS II system. Councillor Dowden asked for consent to postpone Proposal No. 160, 1993 until April 26, 1993. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 161, 1993. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 161, 1993 on March 17, 1993. The proposal amends the Code by extending the current sewer service and user rates. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 161, 1993 was adopted on the following roll call vote; viz:

April 12, 1993

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jimison, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Black*

5 NOT VOTING: *Dowden, Gilmer, Gray, Jones, Ruhmkorff*

Proposal No. 161, 1993 was retitled GENERAL ORDINANCE NO. 14, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1993

A GENERAL ORDINANCE amending the Section of the Code dealing with the establishment of rates and charges for the use of the sewer system.

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

SECTION 1. Section 27-102 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken through as follows:

Sec. 27-102. Basis for charge; how calculated.

(a) Established. The sewer user charge imposed by this article shall be based upon the following general formulas:

$$V_T = Vu_1 + Vu_2 \dots + Vu_n$$
$$V_c = \frac{C_T - C_I - C_R - C_u - C_E - I}{V_T} + \frac{0.25(C_1 + C_R + C_u)}{V_T}$$
$$C_c = \frac{0.75(C_1 + C_R + C_u)}{T_c} \div 12$$

Nonindustrial user:

$$R = Vu(Vc) + Cc$$

Industrial user:

$$R = Vu(Vc) + Bc(B) + Sc(S) + Nc(N) + Pc(P) + Vu(lu) + Cc$$

Where

- Cc = Availability of service charge per month.
- C_T = Total operation and maintenance cost per a unit of time.
- C_I = Operation and maintenance cost to transport and treat infiltration per a unit of time.
- C_R = Operation and maintenance cost to transport and treat inflow per a unit of time.
- C_u = Operation and maintenance cost to transport and treat unmetered water per a unit of time.
- C_E = Operation and maintenance cost to treat wastes in excess of base level strength.
- Vc = Operation and maintenance cost to transport and treat a unit of users' wastes equal to or below the base level strength.
- Bc = Operation and maintenance cost to treat a unit of BOD.
- Sc = Operation and maintenance cost to treat a unit of SS.
- Nc = Operation and maintenance cost to treat a unit of ammonia nitrogen.
- Pc = Operation and maintenance cost to treat any other pollutant.
- B = Amount of BOD from a user above a base level.
- S = Amount of SS from a user above a base level.
- N = Amount of ammonia nitrogen from a user above a base level.
- P = Amount of any other pollutant from a user above a base level.
- V_u = Volume contribution per user per a unit of time.

- V_T = Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetered).
- I = Industrial surveillance cost per a unit of time.
- I_u = Industrial surveillance cost per a unit of industrial volume per a unit of time.
- R = User's charge for operation and maintenance per a unit of time.
- V_R = Total waste water contributed by residential customers per a year.
- T_c = Total number of connections to the system.

(b) Application. Until amended the following rates or factors shall apply; effective January 1, 1985, and shall be in effect for the calendar years 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992 and ~~for the first four months of 1993, January 1 through April 30~~ for the calendar year of 1993:

- V_c = \$1.1339 per 1,000 gallons
- I_u = \$0.0539 per 1,000 gallons
- B_c = \$0.0859 per pound
- S_c = \$0.0970 per pound
- C_c = \$2.03 per month
- N = \$0.4474 per pound

(c) Minimum charge and base level. The minimum charge on any monthly billing for an industrial user shall be \$5.59 and non-industrial user shall be \$5.43. Further, for the purpose of the foregoing formulas, the BOD base level shall be 250 milligrams per liter, and SS base level shall be 300 milligrams per liter, and NH_4-N base level shall be 20 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as hereinafter provided.

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

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NOS. 162, 163, 164, 165 and 166, 1993. Councillor Gilmer asked for consent to vote on these five transportation proposals together. Consent was given. PROPOSAL NO. 162, 1993. The proposal amends the Code by authorizing a multi-way stop at Fox Hill Drive and Hoover Road (District 2). PROPOSAL NO. 163, 1993. The proposal amends the Code by authorizing a four-way stop at Olney Street and 61st Street (District 7). PROPOSAL NO. 164, 1993. The proposal amends the Code by authorizing parking restrictions on Ray Street between Meridian Street and Union Street (District 16). PROPOSAL NO. 165, 1993. The proposal amends the Code concerning parking restrictions in the downtown area and on East Washington Street (District 16, 22). PROPOSAL NO. 166, 1993. The proposal amends the Code concerning parking restrictions on Washington Street from West Street to Somerset Avenue (Districts 16, 17). Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 162, 163, 164, 165 and 166, 1993 on March 24, 1993. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal

Nos. 162, 163, 164, 165 and 166, 1993, 1993 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Hinkle, Jones, Ruhmkorff*

Proposal No. 162, 1993 was retitled GENERAL ORDINANCE NO. 34, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1993

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>
10, Pg. 3	Fox Hill Dr. & Hoover Rd.	Fox Hill Dr.	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>
10, Pg. 3	Fox Hill Dr. & Hoover Rd.	None	All Way Stop

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

Proposal No. 163, 1993 was retitled GENERAL ORDINANCE NO. 35, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1993

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>
12, Pg. 6	Olney St. & 61st St.	Olney St.	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>
12, Pg. 6	Olney St. & 61st St.	None	All Stop

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

Proposal No. 164, 1993 was retitled GENERAL ORDINANCE NO. 36, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 1993

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:

Ray Street, on both sides, from
Meridian Street to Union Street

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

Proposal No. 165, 1993 was retitled GENERAL ORDINANCE NO. 37, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets; Section 29-270, Parking prohibited during specified hours on certain days; Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours; Section 29-283, Parking meter zones designated.

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

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY AND HOLIDAYS

From 7:00 a.m. to 6:00 p.m.

Pennsylvania Street, on both sides, from
Washington Street to Ohio Street

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

From 1:00 a.m. to 6:00 p.m.

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

Michigan Street, on the north side, from
West Street to Senate Avenue

April 12, 1993

SECTION 2. That 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

From 4:00 p.m. to 7:00 a.m.

New Jersey Street, on both sides, from
Wabash Street to New York Street

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m.

Meridian Street, on the west side, from
a point 200 feet south of St. Joseph Street to New York Street

Ohio Street, on the north side, from
Delaware Street to East Street

Senate Avenue, on the west side, from
a point 250 feet south of Tenth Street to New York Street

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

Capitol Avenue, on the west side, from
New York Street to Ohio Street

Capitol Avenue, on the east side, from
North Street to New York Street

Delaware Street, on the east side, from
Georgia Street to Maryland Street

Delaware Street, on the east side, from
Market Street to New York Street

Delaware Street, on the west side, from
Georgia Street to Ohio Street

East Street, on the west side, from
Michigan Street to Washington Street

Illinois Street, on the west side, from
Washington Street to Ohio Street

Michigan Street, on the north side, from
Senate Avenue to Illinois Street

New York Street, on the south side, from
Pennsylvania Street to East Street

Ohio Street, on the south side, from
West Street to Illinois Street

Pennsylvania Street, on the east side, from
Ohio Street to Maryland Street

Pennsylvania Street, on the west side, from
New York to Court Street

Senate Avenue, on the east side, from
Washington Street to Michigan Street

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Senate Avenue, on the west side, from
Washington Street to Miami Street

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

From 7:00 a.m. to 9:00 a.m.

Capitol Avenue, on the east side, from
St. clair Street to North Street

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

Illinois Street, on the west side, from
New York Street to Michigan Street

Meridian Street, on the east side, from
New York Street to a point 109 feet south of St. Joseph Street

Ohio Street, on the south side, from
Alabama Street to East Street

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

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

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

Delaware Street, on the west side, from
North Street to Eleventh Street

Delaware Street, on the west side, from
Twelfth Street to Sixteenth Street

SECTION 3. That 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:

TWO HOURS

Michigan Street, on the north side, from
Senate Avenue to Illinois Street

SECTION 4. That 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:

Delaware Street, on the west side, from
Sixteenth Street to a point 100 feet south of sixteenth Street

Washington Street, on both sides, from
East Street to Edmondson Avenue

SECTION 5. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

April 12, 1993

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

From 1:00 a.m. to 6:00 p.m.

Michigan Street, on the north side, from
Meridian Street to West Street

SECTION 6. That 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 6:00 a.m. to 9:00 a.m.

Capitol Avenue, on the west side, from
Ohio Street to New York Street

Delaware Street, on the west side, from
Georgia Street to Maryland Street

Meridian Street, on the west side, from
North Street to a point 200 feet south of St. Joseph Street

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

Pennsylvania Street, on the east side,
from Ohio Street to Maryland Street

Senate Avenue, on the west side, from
Vermont Street to a point 250 feet south of Tenth Street

Washington Street, on the north side, from
Pennsylvania Street to East Street

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

Delaware Street, on the west side, from
Maryland Street to Ohio Street

Pennsylvania Street, on the west side, from
Ohio Street to New York Street

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

Delaware Street, on the east side, from
Market Street to New York Street

Meridian Street, on the east side, from
North Street to a point 109 feet south of St. Joseph Street

New York Street, on the south side, from
Pennsylvania Street to East Street

North Street, on the south side, from
Pierson Street to Senate Avenue

Senate Avenue, on the east side, from
Vermont Street to Michigan Street

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

New Jersey Street, on the both sides, from
Wabash Street to New York Street

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

Proposal No. 166, 1993 was retitled GENERAL ORDINANCE NO. 38, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets; Section 29-270, Parking prohibited during specified hours on certain days; Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours; Section 29-272, Parking time restricted on designated days.

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 a point 400 feet
east of the east curb line of Belmont Avenue
to a point 400 feet west
of the west curblines of Belmont Avenue

Washington Street, on both sides,
from Tremont Avenue to Sheffield Avenue

Washington Street, on the north side,
from the west curblines of the driveway in Central Hospital
to the east curblines of Tibbs Avenue

Washington Street, on the south side,
from a point 625 feet west of the west curblines
of Tibbs Avenue to the west curblines of Tibbs Avenue

Washington Street, on the south side,
from the west curblines of Harding Street,
west for a distance of 600 feet

Washington Street, on the south side,
from the east curblines of Tibbs Avenue,
east for a distance of 112 feet

Washington Street, on the southside,
from White River Parkway, West Drive to
the first alley west of White River Parkway, West Drive

West Washington Street, on the north side,
from White River Parkway, West Drive, east leg to
White River Parkway, West Drive, west leg

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
From 7:00 a.m. to 6:00 p.m.

Washington Street, on both sides,
from Harding Street to Elder Street

April 12, 1993

SECTION 3. 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 7:00 a.m. to 9:00 a.m.

Washington Street, on the south side,
from West street to the west city limits

ON ANY DAY EXCEPT SATURDAYS & SUNDAYS
From 3:00 p.m. to 6:00 p.m.

Washington Street, on the north side,
from Pershing Avenue to Sheffield Avenue

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

From 2:00 p.m. to 6:00 p.m.

Washington Street, on the north side,
from Pershing Avenue to Sheffield Avenue

From 7:00 a.m. to 9:00 a.m.

Washington Street, on the north side,
from Pershing Avenue to Sheffield Avenue

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, Parking time restricted on designated days, be, and the same is hereby amended by the deletion of the following, to wit:

NINETY MINUTES
ON ANY DAY EXCEPT SUNDAY
From 7:00 a.m. to 4:00 p.m.

Washington Street, on the north side,
from White River to Elder Avenue

From 9:00 a.m. to 6:00 p.m.

Washington Street, on the southside,
from White River Drive to Elder Avenue

SECTION 5. 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:

Washington Street, on the north side,
from West Street to Somerset Avenue

Washington Street, on the south side,
from West Street to Elder Avenue

Washington Street, on the south side,
from Sheffield Avenue to Tremont Avenue

Washington Street, on the southside,
from Hancock Avenue to Somerset Avenue

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Mr. Elrod read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition Nos. 92-Z-127A, 92-Z-127B, 92-Z-127C and 92-Z-132. Proposal Nos. 214, 215, 216 and 217, 1993, at its next regular meeting on April 26, 1993, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. Petition No. 92-Z-127A proposes to rezone 7.025 acres at 3520 East 56th Street from D-A to SU-1 to provide for a church. Petition No. 92-Z-127B proposes to rezone 11.923 acres at 3520 East 56th Street from D-A to D-5 to provide for residential development. Petition No. 92-Z-127C proposes to rezone 21.709 acres at 3520 East 56th Street from D-A to D-4 to provide for residential development. Petition No. 92-Z-132 proposes to rezone 2.76 acres at 4920 East 56th Street from D-A to C-3 to provide for commercial uses.

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

NEW BUSINESS

Councillor Rhodes reported that Councillor Boyd made a motion at the January 25, 1993 Council meeting and it was referred to the Administration and Finance Committee. Councillor Boyd's motion is as follows: That the Council formally review the policy and process issues involved in the awarding and monitoring of consultant contracts and that such review result in formal recommendations made to the Council on a schedule determined by the President but in time to be incorporated into 1993 budget deliberations. By a 5-2 vote on April 5, 1993, the Committee reported the motion to the Council with the recommendation that it do pass.

Councillor Coughenour moved that Councillor Boyd be requested to put his motion in a proposal format with details on the scope and composition of the task force and further moved that it be returned to the Administration and Finance Committee. Councillor Hinkle seconded this motion. The motion passed by a majority voice vote.

The President asked Councillor Boyd to present it to the Council and the President said he will then assign it to Administration and Finance Committee.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:40 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 12th day of April, 1993.

April 12, 1993

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


President

ATTEST:


Clerk of the Council

(SEAL)