

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

**REGULAR MEETINGS
MONDAY, SEPTEMBER 13, 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 7:10 p.m. on Monday, September 13, 1993, with Councillor SerVaas presiding.

Councillor Gilmer introduced Rev. Gary Sellars, Pastor of Mt. Pleasant Baptist Church, who led the opening prayer. Councillor Gilmer invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

28 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, Smith, West, Williams
1 ABSENT: Short

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Williams introduced Bill Crawford, State Representative, District 51. Councillor Boyd acknowledged the presence of members of the Concerned Clergy. Councillor Coughenour recognized David Andriseck, Market Master, City Market.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, September 13, 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

August 30, 1993

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, September 2, 1993, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 442, 445, 446, 447, 448, 449, 451 and 452, 1993, to be held on Monday, September 13, 1993, at 7:00 p.m., in the City-County Building.

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

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 61, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Six Hundred Eighty-seven Thousand Nine Hundred Seven Dollars (\$687,907) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the County General Fund and certain other appropriations for the Presiding Judge of the Municipal Court.

FISCAL ORDINANCE NO. 62, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixty Thousand Dollars (\$60,000) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 63, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Three Hundred Eleven Thousand Forty-six Dollars (\$311,046) in the County Corrections Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

FISCAL ORDINANCE NO. 64, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Law Enforcement Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Law Enforcement Fund.

FISCAL ORDINANCE NO. 65, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Ten Thousand Three Hundred Fifty Dollars (\$10,350) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State & Federal Grants Fund.

FISCAL ORDINANCE NO. 66, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional One Hundred Ninety-nine Thousand Eight Hundred Seventy-seven Dollars (\$199,877) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 67, 1993 amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Ten Thousand Dollars (\$10,000) in the Consolidated County Fund for purposes of the Department of Administration, Equal Opportunity Division and reducing certain other appropriations for that department.

GENERAL ORDINANCE NO. 101, 1993 amending Chapter 20, Article VIII of the Code of Indianapolis and Marion County Indiana, concerning Smoking Restrictions.

GENERAL ORDINANCE NO. 102, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 103, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 104, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 105, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 106, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 107, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 108, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 109, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 110, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets; Section 29-269, Parking prohibited at all times on certain designated streets; and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 111, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-294, When time limits and charges shall be in effect.

GENERAL ORDINANCE NO. 112, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, and Section 29-268, Stopping, standing or parking prohibited at all times on certain designated street.

GENERAL ORDINANCE NO. 113, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 114, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 115, 1993 amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

SPECIAL ORDINANCE NO. 9, 1993 authorizing the City of Indianapolis to issue its "Airport Facility Revenue Refunding Bonds (Federal Express Corporation Project) Series 1994" in an aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000) (the "Bonds") and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 10, 1993 authorizing the City of Indianapolis to issue its "Adjustable Rate Economic Development Revenue Refunding Bonds, Series 1993 (Morningside of College Park Project) in an aggregate principal amount not to exceed Six Million Six Hundred Ninety-Five Thousand Dollars (\$6,695,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 11, 1993 election to fund MECA in 1994 with County Option Income Tax Revenues.

SPECIAL RESOLUTION NO. 52, 1993 congratulating the Franklin Central High School Band.

SPECIAL RESOLUTION NO. 53, 1993 recognizing Razor Shines of the Indianapolis Indians.

SPECIAL RESOLUTION NO. 54, 1993 recognizing the Day of the Working Parent and Indianapolis Section of the National Council of Jewish Women.

SPECIAL RESOLUTION NO. 55, 1993 urging the adoption of Daylight Saving Time.

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 August 23, 1993. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 493, 1993. This proposal, sponsored by Councillor Williams, concerns The Massachusetts Avenue Arts District. Councillor Williams read the resolution and presented copies of the document to Steve Thornton, Barnes & Thornburg, and Bob Glenn, Riley Area Revitalization Program, who expressed appreciation for the recognition. Councillor Williams moved, seconded by Councillor Brents, for adoption. Proposal No. 493, 1993 was adopted by unanimous voice vote.

Proposal No. 493, 1993 was retitled SPECIAL RESOLUTION NO. 56, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 1993

A SPECIAL RESOLUTION concerning The Massachusetts Avenue Arts District.

WHEREAS, in the 1980's, after years of deterioration, new and restored housing sparked the downtown population growth and provided store fronts along Massachusetts Avenue attracting art galleries, numerous restaurants, specialty shops, creative businesses and artists residences throughout the area; and

WHEREAS, seven art galleries, six stages in four theaters, two museums, numerous creative professionals, including the Indianapolis Arts Academy, architects, graphic and interior designers, ad agencies, marketing firms and others have clustered in the Massachusetts Avenue Corridor of Downtown Indianapolis; and

WHEREAS, the area contributes in a major positive way to the promotion and development of Downtown Indianapolis, providing inspiration and enjoyment to thousands of downtown residents and visitors each month; and

WHEREAS, the area has become the most dense concentration of creative activity in the State of Indiana and is visited and enjoyed by citizens of Indianapolis and beyond; now, therefore:

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

September 13, 1993

SECTION 1. The Indianapolis City-County Council commends the joint participation of the City of Indianapolis Department of Transportation, the Lieutenant Governor of Indiana, the Riley Area Revitalization Program and the Massachusetts Avenue Sidewalk Renaissance Committee in the rebirth of this important downtown neighborhood.

SECTION 2. The Council recognizes private sector organizations such as the Indianapolis Foundation, Indianapolis Power & Light Co., Engledow, Inc. along with numerous individuals, most notably Miss Ruth Lilly, who have contributed generously to provide landscaping, lighting and other amenities to the street scape.

SECTION 3. The Council joins with the Metropolitan Development Commission in recognizing the enormous value of this high concentration of creativity by designating officially the area as show on Attachment A as:

The Massachusetts Avenue Arts District,

and calls upon all citizens to experience the rich variety of activities in this unique neighborhood of our city.

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. 494, 1993. This proposal, sponsored by Councillor Beadling, recognizes the 90th Anniversary of Fort Benjamin Harrison. Councillor Beadling read the resolution and presented a copy of the document to Col. Jack Querfeld, Deputy Post Commander, Ft. Benjamin Harrison, who expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Gilmer, for adoption. Proposal No. 494, 1993 was adopted by unanimous voice vote.

Proposal No. 494, 1993 was retitled SPECIAL RESOLUTION NO. 57, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1993

A SPECIAL RESOLUTION recognizing the 90th Anniversary of Fort Benjamin Harrison.

WHEREAS, Fort Benjamin Harrison was created by Congress in 1903 to provide garrison space for the enlarged National Army after the Spanish-American War; and

WHEREAS, at that time, the War Department sold the U.S. Arsenal to Indianapolis for a school, and purchased 1,994 acres northeast of the city near the town of Lawrence; and

WHEREAS, after dwindling to a low point of only 12 soldiers, the post rapidly came to life during the First World War as a training camp and to muster in National Guard units including the 150th Field Artillery Regiment commanded by Robert Tyndall who would later become Mayor of Indianapolis; and

WHEREAS, from 1933 to 1941 the fort was the state headquarters for the Civilian Conservation Corps; and

WHEREAS, during WW II Fort Harrison became an induction center, a POW camp, an Army disciplinary barracks, a hospital, and schools for cooks, chaplains and the Army Finance School; and

WHEREAS, after the war, the U.S. Army consolidated its financial operations at the Fort including the Army Finance Center whose building was constructed over the old post airport, and established several training specialties including the Defense Information School, the Adjutant General School and the Soldier Support Center; 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 Fort Benjamin Harrison and all the thousands of men and women, military and civilians, who have given it life and vitality during the past 90 years.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor Boyd asked for a moment of special privilege. He asked for consent to let Representative Crawford address the Council on the infant mortality issue. Consent was given. Mr. Crawford, representing the Concerned Clergy, urged the Council to address the infant mortality issue. The Concerned Clergy is seeking \$3 million--\$1 million per year for the next three years to help save the lives of babies.

PROPOSAL NO. 506, 1993. This proposal, sponsored by Councillors Rhodes and Jimison, concerns Government Cable Channel 16-TV. Councillor Rhodes read the resolution and presented a copy of the document to Jayne Gerdeman, Director, Department of Telecommunications, Cable Communications Agency, who expressed appreciation for the recognition. Councillor Jimison also presented the 1993 Ovation Award to Ms. Gerdeman and the Channel 16 staff. Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 506, 1993 was adopted by unanimous voice vote.

Proposal No. 506, 1993 was retitled SPECIAL RESOLUTION NO. 58, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1993

A SPECIAL RESOLUTION concerning Government Cable Channel 16-TV.

WHEREAS, Indianapolis Government Cable Channel 16-TV began in 1982 to provide live coverage of government meetings, offer public information programs that highlight activities of the departments of local government, zoning cases and produce original local history features; and

WHEREAS, Channel 16 began with one and one-half hours of programming two days a week, to today's eighteen hours of programming seven days a week; and

WHEREAS, Channel 16 has won numerous awards and citations from the National Association of Telecommunications Officers and Advisors, the National Federation of Local Cable Programmers, the Alliance of Community Media and has been nominated for the coveted Cable Ace Award; and

WHEREAS, the station, now a division of the Cable Communications Agency, has been recognized for its contributions by such organizations as the United Way of Central Indiana, the Federal Emergency Management Agency, the Indiana Kidney Foundation, the Bone Marrow Donor Program and the Indianapolis Fire Department; and

WHEREAS, Channel 16, also known as WCTY, has recently been recognized in the category for Community Impact by the National Association of Telecommunications Officers and Advisors for its program, "*HOOSIER HISTORY: Indianapolis' African-American Community*" which chronicles the Black experience in Indianapolis; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the staff of Indianapolis Government Cable Channel 16-TV for its expanded programming hours, for its allowing the citizens of the city to view complete and unedited local government meetings and for their award winning "*HOOSIER HISTORY*" documentary productions.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 479, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by repealing Section 6-11 concerning milk cows"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 480, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by repealing Section 17-932 concerning pigeon eradication"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 481, 1993. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing the transfer of lawn-mowing equipment from the Department of Administration to the Executive Council of Senior High Rise Communities, Inc. for use in maintaining Public Housing Division properties"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 482, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the rate schedule for the Marion County Healthcare Center"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 483, 1993. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE approving the transfer of certain territory from the Consolidated City of Indianapolis to the City of Beech Grove"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 484, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 485, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION confirming the Marion County Public Defender Board's nomination of Frances Watson Hardy as Marion County Chief Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 486, 1993. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE amending the Code concerning leaves for members of the Indianapolis Police Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 487, 1993. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$3,591 for the Superior Court, Criminal Division, Room Six, to cover miscellaneous expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 488, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$4,000 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. 489, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$370,000 for the County Sheriff to cover food expense for the jail inmates through the end of the year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 490, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$93,053 for the Clerk of the Circuit Court to transfer the Court Services payroll into the Court Administrator's budget for 1993 and to cover shelving expenses at the juvenile facility"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 491, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$18,100 for the Superior Court, Criminal Division, Probation Department, to cover postage, supplies and telephone service expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 492, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Center Run Road (8350 N) and Venture/Castle Plaza Drive (District 4)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 505, 1993. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE reallocating \$201,807 from the E-911 Fund to the Police General Fund and \$38,005 from the E-911 Fund to the Fire General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 477, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 477, 1993 on September 13, 1993. The proposal approves the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 and approving and authorizing other actions in respect thereto. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 477, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Giffin, Rhodes, Ruhmkorff

1 NOT PRESENT: Short

Proposal No. 477, 1993 was retitled SPECIAL ORDINANCE NO. 12, 1993 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1993

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 and approving and authorizing other actions in respect thereto.

WHEREAS, City of Indianapolis (the "Issuer") previously issued City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 (the "Bonds"), in the aggregate principal amount of \$1,400,000 pursuant to a Trust Indenture by and among the Issuer, BANKERS TRUST COMPANY, as Trustee (the "Trustee") and INB NATIONAL BANK (formerly known as the Indiana National Bank), as Co-Trustee (the "Co-Trustee"), dated as of April 1, 1984 (the "Original Indenture"); and

WHEREAS, the Issuer, the Trustee and the Co-Trustee, with the consent and at the direction of General Motors Corporation (the "Company") and the holders of 100% of the Bonds (the "Holders"), entered into a 1992 Supplemental Trust Indenture dated as of September 1, 1992 to permanently amend the Original Indenture to remove the provisions of the Original Indenture and the Bonds with respect to Mandatory Conversion Events (including, but not limited to, the provisions in Section 204(c) of the Indenture), so that at no time will a Mandatory Conversion Event occur; and

WHEREAS, the Company has exercised its right pursuant to the Original Indenture as amended by the 1992 Supplemental Indenture (collectively, the "Indenture") to optionally convert the Bonds from the Adjusted Rate of Interest (as defined in the Indenture) to the Fixed Rate of Interest (as defined in the Indenture) which conversion will take place on October 1, 1993 (the "Conversion") pursuant to the terms of the Indenture; and

WHEREAS, in connection with the Conversion and during the Fixed Rate Period, the Company wishes to waive, and agree not to exercise, its right to cause an optional redemption of the Bonds as provided under Section 301(b) of the Indenture and to make related prepayments under Section 7.2(b) of the Loan Agreement; and

WHEREAS, the Company has requested that the Issuer enter into an Irrevocable Waiver and Agreement among the Issuer, Trustee, Co-Trustee and Bear, Stearns & Co., Inc. as Remarketing Agent to effect the aforesaid waiver; and

WHEREAS, the Indianapolis Economic Development Commission on September 8, 1993 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the Irrevocable Waiver and Agreement in the form presented at that meeting complies with the purposes and provisions of Indiana Code 36-7-11.9 and Indiana Code 36-7-12 (collectively the "Act") and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Irrevocable Waiver and Agreement 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. It is hereby found that the execution of the Irrevocable Waiver and Agreement will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Irrevocable Waiver and Agreement approved by the Indianapolis Economic Development Commission is hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Irrevocable Waiver and Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Irrevocable Waiver and Agreement approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Irrevocable Waiver and Agreement approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this

City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in IC 36-7-12-27 (a)(1) through (a)(10).

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

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

PROPOSAL NO. 478, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 478, 1993 on September 13, 1993. The proposal is an Inducement Resolution for Sure Start, Inc. in an amount not to exceed \$5,000,000 for the acquisition, renovation and equipping of an existing building located at 4760 Kentucky Avenue for use in the re-manufacturing of starters and alternators. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Smith, for adoption. Proposal No. 478, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Franklin, Gray

1 NOT PRESENT: Short

Proposal No. 478, 1993 was retitled SPECIAL RESOLUTION NO. 59, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 1993

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-1-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, Sure Start, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation, installation and equipping of an existing building containing approximately 134,000 square feet located at 4760 Kentucky Avenue, Indianapolis, Marion County, Indiana on approximately 18 acres of land which will be used in the Applicant's business of manufacturing starters, generators and alternators for the automotive aftermarket; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (the retention of one hundred thirty (130) jobs and the creation of approximately sixty-eight (68) jobs by the end of one year and one hundred sixty-two (162) jobs by the end of three (3) years) and the creation of business opportunities to be achieved by the acquisition, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it presently does not appear that the acquisition, renovation, installation and equipping of the Project will have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment (the retention of one hundred thirty (130) jobs and the creation of approximately sixty-eight (68) jobs by the end of one year and one hundred sixty-two (162) jobs by the end of three (3) years) in and near the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Five Million Dollars (\$5,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires April 30, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as it may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section I.150-2.

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

PROPOSAL NO. 495, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 9, 1993". The Council did not schedule Proposal No. 495, 1993 for hearing pursuant to IC 36-7-46-608. Proposal No. 495, 1993 was retitled REZONING ORDINANCE NO. 114, 1993 and is identified as follows:

REZONING ORDINANCE NO. 114, 1993. 93-Z-78 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
8738 WEST 21ST STREET (approximate address), INDIANAPOLIS.
REPUBLIC DEVELOPMENT CORPORATION, by Jim Nickels, requests the rezoning of 43.00 acres, being in the D-A District, to the D-4 classification to provide for the development of a single-family residential subdivision by platting.

PROPOSAL NOS. 496 and 497, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 9, 1993". The Council did not schedule Proposal Nos. 496 and 497, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 496 and 497, 1993 were retitled REZONING ORDINANCE NOS. 115 and 116, 1993 and are identified as follows:

REZONING ORDINANCE NO. 115, 1993. 93-Z-84 (Amended) PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 01.
2920 WEST 62ND STREET (approximate address), INDIANAPOLIS.
THE BRADFORD GROUP, INC., by Stephen D. Mears, requests the rezoning of 47.42 acres, being in the D-6II, D-2 and D-A Districts, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 116, 1993. 93-Z-96 (Amended) WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 7.
1001 BROAD RIPPLE AVENUE (approximate address), INDIANAPOLIS.
1001 PROPERTIES, INC., by Stephen D. Mears, requests the rezoning of 2 acres, being in the C-S District, to the C-S classification to provide for commercial retail uses.

PROPOSAL NOS. 498-504, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 9, 1993". The Council did not schedule Proposal Nos. 498-504, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 498-504, 1993 were retitled REZONING ORDINANCE NOS. 117-123, 1993 and are identified as follows:

REZONING ORDINANCE NO. 117, 1993. 93-Z-62 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20.
4137 MADISON AVENUE (approximate address), INDIANAPOLIS.
CATHERINE M. DAVIS, by Michael J. Kias, requests the rezoning of 0.034 acre, being in the C-S District, to the C-1 classification to provide for commercial development.

REZONING ORDINANCE NO. 118, 1993. 93-Z-74 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.
3745 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.
CARR METAL PRODUCTS, INC., by Peter D. Cleveland, requests the rezoning of 7.29 acres, being in the C-5, D-4, and D-A Districts, to the I-2-S classification to provide for the construction of a second building of 22,400 square feet to house its operations.

REZONING ORDINANCE NO. 119, 1993. 93-Z-92 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 01.
5701 WEST 46TH STREET (approximate address), INDIANAPOLIS.
THE BRADFORD GROUP, INC., by Stephen D. Mears, requests the rezoning of 15.45 acres, being in the D-6 District, to the D-4 classification to provide for residential development.

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REZONING ORDINANCE NO. 120, 1993. 93-Z-104 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
2305 S. RYBOLT AVENUE (approximate address), INDIANAPOLIS.
DALE KELSO requests the rezoning of 1.25 acres, being in the D-5 and SU-9 Districts, to the D-5 classification to provide for residential use.

REZONING ORDINANCE NO. 121, 1993. 93-Z-105 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.
201-255 and 240-250 SOUTH MERIDIAN STREET and
25 JACKSON PLACE and 28 WEST LOUISIANA STREET (approximate addresses), INDIANAPOLIS.
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 2.6 acres, being in the C-4/RC District, to the CBD-2/RC classification to conform zoning with the existing uses and development.

REZONING ORDINANCE NO. 122, 1993. 93-Z-108 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 2.
7580 WALNUT DRIVE (a/k/a 2402 WESTLANE ROAD) (approximate address), INDIANAPOLIS.
INDIANA BROADCASTING CORPORATION d/b/a WISH-TV 8, by J. Peter Miller, requests the rezoning of 44 acres, being in the D6-II District, to the SU-35 classification to provide for the construction of a telecommunications broadcast tower with accessory equipment buildings and satellite dishes.

REZONING ORDINANCE NO. 123, 1993. 93-Z-115 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.
11100 EAST 38TH STREET (approximate address), INDIANAPOLIS.
PINES DEVELOPMENT by Edward Williams, requests the rezoning of 49.7 acres, being in the D-2, D-P, D-7, and C-4 Districts, to the D-5-II classification to provide for residential use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 108, 1993. The proposal appropriates \$27,677 for the Superior Court, Criminal Division, Room Five, to cover overtime expenses and the salary of an additional clerk. Councillor Dowden asked for consent to postpone Proposal No. 108, 1993 until September 27, 1993. Consent was given.

PROPOSAL NO. 356, 1993. The proposal appropriates \$50,000 for the Presiding Judge of the Municipal Court to fund the first year of a three-year program to study the effectiveness of the different types of alcohol treatment programs now being used by the Municipal Court Probation Department. Councillor Dowden asked for consent to postpone Proposal No. 356, 1993 until October 11, 1993. Consent was given.

PROPOSAL NO. 442, 1993. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 442, 1993 on September 7, 1993. The proposal, sponsored by Councillor Williams, appropriates \$16,833,587 for the Department of Metropolitan Development, Public Housing Division, to rehabilitate Blackburn and Hawthorne Place funded by federal monies. Councillor Borst said that the majority of this appropriation will be spent on completely renovating Blackburn Terrace and Hawthorne Place. Some of the projects that the remaining balance will be spent on: (1) \$7.3 million to install HVAC in the senior buildings, (2) \$1.4 million to renovate 66 units at Twin Hills, and (3) \$655,000 to cover computer costs. He said the Committee is concerned about how this money is going to be spent and that it costs over \$40,000 to renovate one unit. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:10 p.m. There was no one present to testify.

Councillor McClamroch stated that he is concerned that the Council is being asked to appropriate \$16 million to renovate two apartment projects. If it does cost \$40,000 to

renovate one unit than that is more than it would cost for new construction. He said that in one of the breakdowns he received on this appropriation one of the line items was \$1.6 million for resident leadership training. He said that this is probably a worthwhile project and it probably makes sense to spend some money on it, but not \$1.6 million. This is federal money, but he believes the Council has a responsibility and an obligation to look at these expenses in a little more depth. If the Division of Housing's budget, which is approximately \$23 million, is divided by the number of units that are in service in Indianapolis, vouchers could be provided on a monthly basis of over \$750 per resident. These residents could live in a much better fashion than they do in these projects. Councillor McClamroch said that this appropriation deserves more investigation by this Council and moved to return Proposal No. 442, 1993 to Committee.

Councillor West said that it is his understanding that it is out of order to speak about a subject and then afterwards to make a motion to send it back to committee.

Councillor McClamroch stated that he would like to move that this proposal be sent back to Committee before he started his speech.

Councillor Hinkle seconded the motion to send it back to committee.

Councillor Franklin said that he was asked by the Council to sit on the Public Housing Advisory Council's Board to provide the Council insight and information as to what is going on with public housing. He said that he has attended every meeting. There has been no dollars spent on public housing in this City in over twenty years. This \$16 million appropriation cannot be used for new construction. It must be used for renovation and renovation only. This City does not have enough public housing and a person must wait for years before getting into public housing. This federal money is supposed to provide safe, clean, decent, affordable housing for low-income residents. His calculation for renovation is about \$30,000 per unit, not \$40,000. The City has just hired John Nelson as the new Administrator of the Division of Housing and Councillor Franklin believes that he is a good strong leader. He said that he thinks it is time for the Council to stop talking and do something for public housing.

Councillor Dowden moved the previous question on Councillor McClamroch's motion. Councillor Schneider seconded the motion.

Councillor Williams stated she has struggled with HUD issues in Hometown and she knows it is impossible to use this money for new housing and it is also impossible to have vouchers that allow people to go any place they want to go if they are in HUD housing. Some of this \$16 million will be used to repair the two elevators at Lugar Towers, which is a fifteen story building with only two elevators. She said that everyday old people are in danger in both Lugar Towers and in the Barton buildings when they use the elevators. She urged the Council not to send this proposal back to Committee where it could be talked to death when there are people being injured because of the Council's inability to get the job down.

Councillor Dowden's motion to move the question passed by the following roll call vote; viz:

18 YEAS: Beadling, Coughenour, Curry, Dowden, Gilmer, Hinkle, Jimison, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, Williams

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9 NAYS: Black, Borst, Boyd, Brents, Franklin, Golc, Gray, Jones, West

1 NOT VOTING: Giffin

1 NOT PRESENT: Short

Councillor McClamroch's motion to send it back to Committee failed by the following roll call vote; viz:

10 YEAS: Dowden, Gilmer, Hinkle, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, Shambaugh, Smith

17 NAYS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Golc, Gray, Jimison, Jones, Moriarty, Rhodes, SerVaas, West, Williams

1 NOT VOTING: Giffin

1 NOT PRESENT: Short

Councillor Borst asked for consent to explain his vote. Consent was given. Councillor Borst said that he voted against sending it back to Committee because (1) the Division of Public Housing now has a competent person who has experience in administering public housing in New York, Los Angeles and other cities, and (2) the Committee promised Blackburn Terrace and Hawthorne Place that the Council would take action in September.

Councillor Gray asked for consent to explain his vote. Consent was given. Councillor Gray said that two housing areas are in his district and they are a fire hazard to the community. The people have been promised better housing. He thinks Mr. Nelson will do a good job and the Council should give him that opportunity.

Councillor Jimison asked for consent to explain her vote. Consent was given. Councillor Jimison said that she voted against sending it back to Committee because the people who live in these particular housing units are not rich folks, are not middle income, but they are poor people. They should be able to live in surroundings with the same dignity as anyone else. She said that it does not make sense to her to send this back to the Committee to ask for explanations on a breakdown that you can get at any time. She asked that all the Councillors who voted to send this back to Committee to change their vote and to be humane and compassionate and concerned enough to vote to pass this proposal at this meeting.

Councillor Boyd stated that it is his understanding from the comments made by Councillors Williams and Franklin that if the proposal goes back to Committee, the Committee cannot make any decision concerning the expenditures of the money for new construction. The moneys cannot be spent for new construction, but are earmarked to be spent only for renovation. He said that he voted against sending it back to Committee and will vote to pass the proposal at this meeting.

Councillor Beadling stated that she voted against sending it back to Committee because there is nothing the Committee can do about new construction or vouchers.

Councillor Borst said that he was using the wrong formula in calculating the cost per unit. According to his new calculation the cost per unit is \$31,159. He moved, seconded by Councillor Boyd, to pass Proposal No. 442, 1993.

Councillor Schneider stated that Councillor Franklin suggested that the Council has not spent any money on public housing in the last twenty years in the City. That is not true. The

Council has appropriated many dollars for public housing through the Model City Program and through the Community Development Block Grants.

The President said that he knows that this Council has a deep sense of frustration with the public housing program which has been a failed program for many, many years. The Council has no control over the public housing policy that the City has to live with.

Proposal No. 442, 1993 was adopted on the following roll call vote; viz:

17 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Golc, Gray, Jimison, Jones, Moriarty, Rhodes, SerVaas, West, Williams*

10 NAYS: *Dowden, Gilmer, Hinkle, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, Shambaugh, Smith*

1 NOT VOTING: *Giffin*

1 NOT PRESENT: *Short*

Councillor Borst asked that Mr. Nelson send to all members of the Council detailed information on how this appropriation will be spent.

Proposal No. 442, 1993 was retitled FISCAL ORDINANCE NO. 68, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixteen Million Eight Hundred Thirty-three Thousand Five Hundred Eighty-seven Dollars (\$16,833,587) in the Indianapolis Housing Authority Fund for purposes of the Department of Metropolitan Development, Public Housing Division, and reducing the unappropriated and unencumbered balance in the Indianapolis Housing Authority 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 Metropolitan Development, Public Housing Division, to rehabilitate Blackburn & Hawthorne Place in order to provide safe and affordable housing for 414 low income families.

SECTION 2. The sum of Sixteen Million Eight Hundred Thirty-three Thousand Five Hundred Eighty-seven Dollars (\$16,833,587) 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 METROPOLITAN DEVELOPMENT</u>	
<u>PUBLIC HOUSING DIVISION</u>	<u>INDIANAPOLIS HOUSING AUTHORITY FUND</u>
1. Personal Services	\$ 350,000
2. Supplies	25,000
3. Other Services and Charges	1,803,587
4. Capital Outlay	<u>14,655,000</u>
TOTAL INCREASE	\$16,833,587

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

INDIANAPOLIS HOUSING AUTHORITY FUND

Unappropriated and Unencumbered	
Indianapolis Housing Authority Fund	<u>\$16,833,587</u>
TOTAL REDUCTION	\$16,833,587

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

PROPOSAL NOS. 447 and 448, 1993. PROPOSAL NO. 447, 1993. The proposal appropriates \$17,500 for the Department of Public Safety, Emergency Management Planning Division, to cover administrative and project planning costs for the Emergency Management Siren Project. PROPOSAL NO. 448, 1993. The proposal appropriates \$25,600 for the Domestic Relations Counseling Bureau, acting as subgrantee for the Indiana Criminal Justice Institute, to pay personnel expenses for the Visiting Nurse Service. Councillor Dowden asked for consent to postpone Proposal Nos. 447 and 448, 1993 until October 11, 1993. Consent was given.

PROPOSAL NO. 449, 1993. The proposal appropriates \$1,680,320 for the Department of Public Works, Storm and Wastewater Management Division, to purchase and install flow meters and samplers and to pay consultant fees to continue the Combined Sewer Overflow Project for a period of one year. Councillor Coughenour asked for consent to postpone Proposal No. 449, 1993 until October 11, 1993. Consent was given.

PROPOSAL NOS. 451 and 452, 1993. PROPOSAL NO. 451, 1993. The proposal appropriates \$4,700,000 for the Department of Transportation, Asset Management Division, to cover the expense of resurfacing approximately fifty lane miles of streets and of implementing a county-wide inventory of signals, streets and culverts. PROPOSAL NO. 452, 1993. The proposal appropriates \$421,000 for the Department of Transportation, Operations Division, to replace 1993 funds which were used to pay 1992 residential thoroughfare and traffic energy bills. Councillor Gilmer asked for consent to postpone Proposal Nos. 451 and 452, 1993 until October 11, 1993. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NOS. 398 and 399, 1993. PROPOSAL NO. 398, 1993. This proposal, sponsored by Councillors Moriarty, Dowden, Golc, Jimison, McClamroch, Mullin, O'Dell, Schneider, Short and Smith, amends the Code by establishing that vehicles used in an act of prostitution are public nuisances. PROPOSAL NO. 399, 1993. The proposal, sponsored by Councillors Moriarty, Dowden, Golc, Jimison, McClamroch, Mullin, O'Dell, Schneider, Short and Smith, amends the Code by establishing that vehicles used in an act of prostitution which are public nuisances may be abated by sale at a public auction. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 398 and 399, 1993 on August 30, 1993. By a 5-4 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden asked for consent to return these proposals to Committee because the primary sponsor wants to make amendments to the proposals. Consent was given.

Councillor Curry acknowledged the presence of State Senator Glenn Howard.

PROPOSAL NO. 400, 1993. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 400, 1993 on August 24, 1993. The proposal amends the Revised Code concerning the rules of the City-County Council. By a 5-0 vote, the Committee

reported the proposals to the Council with the recommendation that it do pass. Councillor Curry said that a number of Councillors have requested that they be given time to read the amended version. Councillor Curry asked for consent to return Proposal No. 400, 1993 to Committee. Consent was given.

PROPOSAL NO. 439, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 439 on August 30, 1993. The proposal transfers and appropriates \$1,300 for the Washington Township Assessor to purchase plat book supplies. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Dowden, for adoption. Proposal No. 439, 1993 was adopted on the following roll call vote; viz:

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

Proposal No. 439, 1993 was retitled FISCAL ORDINANCE NO. 69, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional One Thousand Three Hundred Dollars (\$1,300) in the Property Reassessment Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that office.

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 (u) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Washington Township Assessor to purchase plat book supplies.

SECTION 2. The sum of One Thousand Three Hundred Dollars (\$1,300) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	<u>\$1,300</u>
TOTAL INCREASE	\$1,300

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

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	<u>\$1,300</u>
TOTAL REDUCTION	\$1,300

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

PROPOSAL NO. 443, 1993. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 443, 1993 on September 7, 1993. The proposal approves the disbursement of \$358,000 of Community Development Block Grant Funds. By a 7-0 vote,

the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 443, 1993 was adopted on the following roll call vote; viz:

19 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, Rhodes, SerVaas, Shambaugh, Smith, West

4 NAYS: Dowden, Golc, Ruhmkorff, Schneider

5 NOT VOTING: Franklin, Giffin, Moriarty, O'Dell, Williams

1 NOT PRESENT: Short

Proposal No. 443, 1993 was retitled SPECIAL RESOLUTION NO. 60, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 1993

A SPECIAL RESOLUTION approving the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on September 21, 1992, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 57, 1992, 1993 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted a program for housing revitalization and economic development, utilizing a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

WHEREAS, Council now finds that the amounts, locations and programmatic operations of each of the projects submitted by the Department of Metropolitan Development, should be approved; now, therefore:

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

SECTION 1. That portion of the Community Development Committee's Recommendations for distribution of certain Community development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amounts, locations and programmatic operation of each project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

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

EXHIBIT "A"
 1993 COMMUNITY DEVELOPMENT BLOCK GRANT
 COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

Pathway to Recovery, Inc.	\$25,000
<p>The agency serves homeless, mentally ill and substance abusers. The funds are to be used to remodel the women's dorm and restroom area to provide more privacy and better utilize existing space. Investment leverages no other funds.</p>	
King Park Area Development Corporation	\$75,000
<p>The Community Development Corporation is planning to acquire and rehabilitate five homes. The proposed housing will be marketed for low to moderate income families through the utilization of a Lease Purchase concept. Investment leverages approximately \$200,000.</p>	
Meridian Kessler Development Corporation	\$125,000
<p>The project will help to achieve the redevelopment goals contained in the 42nd and College Urban Renewal Project as declared by the City of Indianapolis. In order to help achieve the redevelopment goals, the Meridian Kessler Development Corp. purposes to purchase properties at the following addresses, to demolish the existing improvements and build a parking lot.</p>	
<p>4173-75 North Broadway 4179-83 North Broadway 4174-76 North College 641 East 42nd Street 4180-88 North College</p>	
<p>The parking lot would be utilized for patrons of the Library at 4186 North Broadway and the proposed Meridian Kessler Community Center and its prime tenant, the YMCA of Indianapolis, at 664 East 42nd Street. The lot would also provide ancillary parking for the North district Police Station at 4209 North College and the Proposed fire station in the Southeast quadrant of 42nd and College. This project will continue the elimination of slum and blight as outlined in the Urban Renewal Plan that was approved by the Metropolitan Development Commission.</p>	
Indiana OIC State Council	\$8,000
<p>This organization is pursuing a retail/office project located in the Oxford Terrace Urban Renewal Area. The funds would be used to engage the services of a consultant to assist in project coordination and negotiations.</p>	
Indianapolis Neighborhood Housing Partnership	\$25,000
<p>Projects will provide emergency repair services to approximately six homeowners in Marion County</p>	
Business Telemarketing	\$100,000
<p>This is to provide a loan to a start-up business that will create 65 permanent jobs for low- and moderate-income individuals.</p>	
Total requested	\$358,000

PROPOSAL NO. 453, 1993. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 453, 1993 on August 24, 1993. The proposal approves the execution of a lease amendment by and between the Metropolitan Development Commission of Marion County, acting as the Redevelopment Commission of the City of Indianapolis and the Marion County Convention and Recreational Facilities Authority; and makes an additional pledge of the City's and County's respective distributive shares of COIT. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry reported that the administration now wishes to withdraw the proposal.

Councillor Curry moved, seconded by Councillor West, to strike. Proposal No. 453, 1993 was stricken by unanimous voice vote.

SPECIAL SERVICE DISTRICT COUNCILS

A. POLICE SPECIAL SERVICE DISTRICT - SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 445, 1993. The proposal appropriates \$100,000 for the Department of Public Safety, Police Division, to cover demolition and additional site work expenses for the Indianapolis Police Division North District Project. Councillor Dowden asked for consent to postpone Proposal No. 445, 1993 until September 27, 1993. Consent was given.

A. FIRE SPECIAL SERVICE DISTRICT - SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 446, 1993. The proposal transfers and appropriates \$1,159,500 for the Department of Public Safety, Fire Division, to cover personnel expenses through the end of the year and to pay the hydrant rental due the Indianapolis Water Company. Councillor Dowden asked for consent to postpone Proposal No. 446, 1993 until September 27, 1993. Consent was given.

ANNOUNCEMENTS AND ADJOURNMENT

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

- (1) by Councillor Beadling in memory of Roger F. McCluskey
- (2) by Councillor Boyd in memory of Sylvia Brodie
- (3) by Councillor Boyd in memory of Calvin L. Townsend
- (4) by Councillors Jones and Boyd in memory of Edward Brents.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Roger F. McCluskey, Sylvia Brodie, Calvin L. Townsend and Edward Brents. Councillor Boyd respectfully asked for the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action. Councillor West seconded the motion and it passed by unanimous voice vote.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 13th day of September, 1993.

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

Bert SerVaas
President

ATTEST:

Barry J. Keegan
Clerk of the Council

(SEAL)