

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 1, 1994**

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 7:06 p.m. on Monday, November 1, 1994, with Councillor SerVaas presiding.

Councillor Coughenour led the opening prayer and invited all present to join her 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, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
1 ABSENT: Giffin

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Coughenour introduced Gary Hart and Brandon Raferty, the husband and grandson of Suellen Hart, Clerk of the City-County Council.

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.

Journal of the City-County Council

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 Tuesday, November 1, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

October 19, 1994

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, October 21, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 548, 1994, to be held on Tuesday, November 1, 1994, at 7:00 p.m., in the City-County Building.

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

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, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 136, 1994 - amending the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act

GENERAL ORDINANCE NO. 137, 1994 - approving the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove

GENERAL ORDINANCE NO. 138, 1994 - amending the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property

GENERAL ORDINANCE NO. 139, 1994 - amending the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5)

GENERAL ORDINANCE NO. 140, 1994 - amending the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 N.) (District 2)

GENERAL ORDINANCE NO. 141, 1994 - amending the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19)

GENERAL ORDINANCE NO. 142, 1994 - amending the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1)

GENERAL ORDINANCE NO. 143, 1994 - amending the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7)

GENERAL ORDINANCE NO. 144, 1994 - amending the Code by authorizing a multi-way stop at Bauman Street and West Lake Road (District 18)

GENERAL ORDINANCE NO. 145, 1994 - amending the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23)

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GENERAL ORDINANCE NO. 146, 1994 - amending the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5)

GENERAL ORDINANCE NO. 147, 1994 - amending the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23)

GENERAL ORDINANCE NO. 148, 1994 - amending the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22)

GENERAL ORDINANCE NO. 149, 1994 - amending the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17)

GENERAL ORDINANCE NO. 150, 1994 - amending the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19)

GENERAL ORDINANCE NO. 151, 1994 - amending the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22)

GENERAL ORDINANCE NO. 152, 1994 - amending the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13)

GENERAL ORDINANCE NO. 153, 1994 - amending the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24)

GENERAL ORDINANCE NO. 154, 1994 - amending the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18)

GENERAL ORDINANCE NO. 155, 1994 - amending the Code by authorizing changes in parking restrictions for various downtown streets (District 16)

FISCAL ORDINANCE NO. 91, 1994 - an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section of the Court Administrator Agency from the State and Federal Grants Fund in the amount of \$25,600 financed by revenues from a state grant

FISCAL ORDINANCE NO. 92, 1994 - an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency

FISCAL ORDINANCE NO. 93, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$13,950 to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency

SPECIAL ORDINANCE NO. 12, 1994 - authorizing City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-in-the-Woods Project) in an amount not to exceed \$8,900,000 for F.C. Indianapolis L.P. for the acquisition, renovation and equipping of the existing 520 unit multi-family residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place on approximately 66 acres of land (District 9)

SPECIAL RESOLUTION NO. 68, 1994 - concerning unfunded mandates

SPECIAL RESOLUTION NO. 69, 1994 - supporting the "I Have a Dream" National Youth Assembly

SPECIAL RESOLUTION NO. 70, 1994 - amending S.R. No. 54, 1994 (Inducement Resolution for North American Laboratory Company in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries) by revising the definition of the Applicant (District 9)

SPECIAL RESOLUTION NO. 71, 1994 - approving the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease

SPECIAL RESOLUTION NO. 72, 1994 - signifying the City's intent to improve its rate of solid waste diversion from landfills

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of October 17, 1994. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 615, 1994. This proposal, sponsored by Councillor Coughenour, recognizes Andy Sims and the DPW Solid Waste Management Division. Councillor Coughenour read the resolution and presented a copy of the document to Mr. Sims, who expressed appreciation for the recognition. All the members of the Solid Waste Division who were present received a copy of the resolution and a Council pin. Michael Stayton, Director, DPW, congratulated Mr. Sims and the Solid Waste Division employees. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 615, 1994 was adopted by unanimous voice vote.

Proposal No. 615, 1994 was retitled SPECIAL RESOLUTION NO. 73, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1994

A SPECIAL RESOLUTION recognizing Andrew "Andy" Sims and the DPW Solid Waste Division.

WHEREAS, October, 1993, was "D-Day" for everyone in the solid waste field in Indianapolis, because 40 districts were reduced to 10, and the districts were put up for bid; and

WHEREAS, Andrew "Andy" Sims, Administrator of the Solid Waste Division of the city's Department of Public Works and his crews rose to the challenge and shrugged off all the naysayers who said that the city employees couldn't be competitive; and

WHEREAS, by working hard, smart and motivated, by realigning every route, by increasing the number of pickups per crew per day, and by a plan to invest in more expensive but far more efficient trucks, the city workers won the maximum number of routes that any bidder was allowed to have; and

WHEREAS, the Solid Waste Division was told by outsiders that "No crews can pick up that much per day, you will kill your crews."; and

WHEREAS, the employees of the Indianapolis Solid Waste Division are here to proudly announce that one year later they have forced the private haulers to lower their prices to stay competitive with the city workers, that they are saving the city \$3.2 million a year, and that they are still alive and well, thank you; 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 commends DPW Solid Waste Division Administrator Andy Sims for his leadership, and each member of the Solid Waste Division for their skill and efficiency in winning the maximum number of districts that they could possibly win in open competition.

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

November 1, 1994

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

PROPOSAL NO. 617, 1994. This proposal, sponsored by Councillors Gilmer, Hinkle and SerVaas, recognizes Raymond E. Gnat. Councillor Gilmer read the resolution and presented a copy of the document to Mr. Gnat, who expressed appreciation for the recognition. David McNamar, President of the Indianapolis-Marion County Public Library Board, introduced Ed Szynaka as the new director of the library. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 617, 1994 was adopted by unanimous voice vote.

Proposal No. 617, 1994 was retitled SPECIAL RESOLUTION NO. 74, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1994

A SPECIAL RESOLUTION recognizing Raymond E. Gnat.

WHEREAS, Raymond E. Gnat, a Milwaukee native, came to the Indianapolis-Marion County Public Library in March, 1963, as Assistant Director; and

WHEREAS, eight years later he was promoted to Director of the Library which he served until his retirement on September 30, 1994; and

WHEREAS, during his nearly quarter century watch, the Library opened new branches at Southport, Warren, Wayne, Pike, Lawrence, Flanner House, West Indianapolis, Decatur and the new Library Services Center, modernized other branches, increased bookmobile services, expanded reading programs, opened the reading room at Wheeler Mission and was the first Indiana public library to fully automate acquisitions, circulation and cataloging; and

WHEREAS, during Mr. Gnat's years as Director circulation increased from three million to eight million a year, and the library system increased the number of citizen borrowers by over a hundred thousand; and

WHEREAS, Mr. Gnat continuously emphasized Library financial stability, professional growth and public service; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 31 years of dedicated service to the people of this city by Raymond E. Gnat, retired Director of the Indianapolis-Marion County Public Library.

SECTION 2. The Council also commends the citizens who have served on the Library Board, and the library volunteers and employees for increasing this form of civilization and enlightenment into our lives.

SECTION 3. The Council wishes Ray Gnat and his wife Jean well in the years to come.

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

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

PROPOSAL NO. 618, 1994. This proposal, sponsored by Councillors Williams, Coughenour and SerVaas, recognizes the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum. Councillor Coughenour read the resolution and presented a copy of the document to Pambana Uishi, Program Director, Indianapolis Adult Literacy Coalition, who expressed appreciation for the recognition. Councillor Coughenour moved, seconded by Councillor Williams, for adoption. Proposal No. 618, 1994 was adopted by unanimous voice vote.

Proposal No. 618, 1994 was retitled SPECIAL RESOLUTION NO. 75, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1994

A SPECIAL RESOLUTION recognizing the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum.

WHEREAS, during October and November the Indianapolis Adult Literacy Coalition is sponsoring a series of forums to examine the timely issue of juvenile violence; and

WHEREAS, this is the latest of a series of public policy issues prepared by the National Issues Forums which the Indianapolis Adult Literacy Coalition has coordinated in the city;

WHEREAS, this series offers meetings where adult learners, youth, and the general public can meet together to think and talk about the problem of juvenile violence; 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 commends the Indianapolis Adult Literacy Coalition for its *Juvenile Violence: Kids and Crime* initiative, and forums on other important issues in the community.

SECTION 2. The Council also recognizes forum cosponsors: Greater Indianapolis Progress Committee, Indiana Youth Institute, Indianapolis-Marion County Public Library, Indianapolis Neighborhood Resource Center, Indianapolis Newspapers, Inc., The Indianapolis Recorder, Marion County Commission on Youth, Youth and Family Services, WISH-TV, and WTLC and WTPI Radio Stations.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor Coughenour asked for a point of special privilege to introduce David and Karen Arland and their new baby Catherine Elizabeth.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 604, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding Consortium Foundation, Inc. and Redevelopment/Revitalization of the Southside Community to the list of eligible neighborhood development corporations for sales and grants of real property"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 605, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$175,000 for the County Sheriff to pay for inmate food and housing through the end of 1994 financed by unappropriated revenues in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 606, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Deferral Program Fee Fund in the amount of \$242,057 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney financed by

Moving Traffic Deferral Fees collected for the period between March and August 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 607, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-94 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 608, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 609, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 610, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$17,300 for the Court Administrator Agency to implement the Expedited Trial Case Program to reduce the jail population awaiting trial financed by unappropriated revenues in that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 611, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Home Detention User Fee Fund in the amount of \$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 612, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the provision of solid waste collection and disposal services for multi-family residences"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 613, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Sunnyside Road and 79th Street (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 614, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 619-621 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 28, 1994." The Council did not schedule Proposal Nos. 619-621, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 619-621, 1994 were retitled REZONING ORDINANCE NOS. 139-141, 1994 and are identified as follows:

REZONING ORDINANCE NO. 139, 1994. 94-Z-101 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

5601 WEST THOMPSON ROAD (approximate address), INDIANAPOLIS.
PEARL M. MILHAUS, by James W. Beatty, requests the rezoning of 15.12 acres, being in the D-A District, to the D-4 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 140, 1994. 94-Z-143 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.

10602 EAST 10TH STREET (approximate address), INDIANAPOLIS.
WASHINGTON PARK CEMETERY ASSOCIATION, by John W. Van Buskirk, requests the rezoning of 91.9 acres, being in the D-A and D-3 District, to the SU-10 classification to provide for a cemetery, mausoleum and related uses.

REZONING ORDINANCE NO. 141, 1994. 94-Z-146 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

5780 EAST 25TH STREET (approximate address), INDIANAPOLIS.
CASEY-BERTRAM CONSTRUCTION requests the rezoning of 2 acres, being in the D-3 District, to the I-4-U classification to provide for construction of a corporate office for a construction business.

PROPOSAL NO. 622, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 28, 1994." The Council did not schedule Proposal No. 622, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 622, 1994 was retitled REZONING ORDINANCE NO. 142, 1994 and is identified as follows:

REZONING ORDINANCE NO. 142, 1994. 94-Z-168 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.

1384 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.
COUNTRY POINTE DEVELOPMENT COMPANY, L.P., by Stephen D. Mears, requests the rezoning of 20.63 acres, being in the D-6(FF)(FW) Districts, to the D-4(FF)(FW) classification to provide for residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. Councillor Dowden asked for consent to postpone Proposal No. 243, 1994 until November 14, 1994. Consent was given.

November 1, 1994

PROPOSAL NO. 548, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 548, 1994 on September 29, 1994. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues. 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 7:56 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Brents, for adoption. Proposal No. 548, 1994 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Beadling

1 NOT PRESENT: Giffin

Proposal No. 548, 1994 was retitled FISCAL ORDINANCE NO. 95, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Metropolitan Development 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 (j) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development to develop the official reuse plan for Fort Harrison.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
	<u>GENERAL FUND</u>
3. Other Services and Charges	<u>200,000</u>
TOTAL INCREASE	200,000

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

	<u>METROPOLITAN DEVELOPMENT</u>
	<u>GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 415, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 415, 1994 on August 31, 1994. The Council at its September 12, 1994 meeting voted to return the proposal to Committee for more discussion. The proposal, sponsored by Councillors Brents, Gilmer and Williams, amends the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16). The Committee heard it again on October 19, 1994, and by an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 415, 1994, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT PRESENT: Giffin

Proposal No. 415, 1994, as amended, was retitled GENERAL ORDINANCE NO. 156, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 156, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-270, Parking prohibited during specified hours on certain days; Sec. 29-283, Parking meter zones designated; Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations; Sec. 29-267, Parking prohibited at all times on certain streets; and Sec. 29-295, Charges for parking.

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, Sec. 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 SATURDAY AND SUNDAYS
from 1:00 a.m. to 6:00 p.m.

Market Street, on the north side,
from Capitol Avenue to Alabama Street

Market Street, on the south side,
from Capitol Avenue to Alabama Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby, amended by the addition of the following, to wit:

30 MINUTES

Market Street, on the north side,
from Delaware Street to Alabama Street

ONE HOUR

Market Street, on both sides,
from Capitol Avenue to Illinois Street

November 1, 1994

Market Street, on both sides,
from Pennsylvania Street to Delaware Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations, be, and the same is hereby, amended by the addition of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

(7) Any privately owned vehicle used in transporting a person, who is a patron of the City Market, may park for one hour from 7:00 a.m. to 6:00 p.m. on any day in the following locations:

30 MINUTES

Market Street, on the north side,
from Delaware Street to Alabama Street

ONE HOUR

Market Street, on both sides,
from a point 114 feet east of Alabama Street
to a point 114 feet west of New Jersey Street

Alabama Street, on the west side,
from Ohio Street to Wabash Street

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Sec. 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:

Market Street, on the south side,
from Delaware Street to Alabama Street

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Sec. 29-295, Charges for parking, be, and same is hereby, amended by inserting the underlined text to read as follows:

The general rule in all areas to which this division shall be applicable, subject only to such specific exceptions as are set out elsewhere in this Code, shall be that the charge for parking in any parking meter zone or space where a parking meter has been installed and is in operation shall be at the rate of seventy-five cents (\$0.75) per hour for one hour and two hour meter zones, and fifty cents (\$0.50) per half hour for thirty minute meter zones for the maximum period of time applicable to each meter location.

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

PROPOSAL NO. 573, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 573, 1994 on October 24, 1994. The proposal is an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency (ISA) financed by transferring other appropriations for that agency. 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 Short, for adoption.

Councillor Williams asked if ISA is going to be privatized. Councillor Rhodes said he did not know--he had not been briefed on this subject. Councillor Curry said that RFQ's (Request for Qualifications) have been issued. There is a multi-faceted committee looking into this matter. There have been no RFP's (Request for Proposals) issued.

Proposal No. 573, 1994 was adopted on the following roll call vote; viz:

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

Proposal No. 573, 1994 was retitled FISCAL ORDINANCE NO. 96, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the County General Fund for purposes of the Information Services Agency and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(k) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to acquire technical assistance for maintaining service levels to its customers.

SECTION 2. The sum of Seventy-five Thousand Dollars (\$75,000) 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>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>75,000</u>
TOTAL INCREASE	75,000

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

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>75,000</u>
TOTAL REDUCTION	75,000

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

PROPOSAL NO. 574, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 574, 1994 on October 24 and 31, 1994. The proposal, sponsored by Councillor Gilmer, determines the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions. This is an effort to bring most of the Department of Capital Asset Management's engineering staff together at one location. By a 7-0 vote on October 31, 1994, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Gilmer, for adoption.

Councillor Moriarty Adams voiced her support of this proposal.

Proposal No. 574, 1994 was adopted on the following roll call vote; viz:

November 1, 1994

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

0 NAYS:

1 NOT PRESENT: *Giffin*

Proposal No. 574, 1994 was retitled SPECIAL RESOLUTION NO. 76, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1994

A SPECIAL RESOLUTION determining the need to lease approximately 31,000 square feet of office space at Thomson Consumer Electronics, 600 North Sherman Drive, Indianapolis, IN 46201, for the Department of Capital Asset Management.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Capital Asset Management is necessary.

SECTION 2. The property located at 600 North Sherman Drive, Indianapolis, IN 46201, is owned by Thomson Consumer Electronics.

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

PROPOSAL NO. 575, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 575, 1994 on October 25, 1994. The proposal, sponsored by Councillors Borst, Hinkle and Rhodes, requests the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption.

Councillor Mullin expressed his reservations concerning a special use as applied to this type of facility due to possible legal consequences.

Councillor West stated that SU 44 is legally in existence in all districts except the Central Business District. Councillor Franklin said that the Council cannot let legal consequences determine how it acts.

Councillor Rhodes said that he was told by Robert Elrod, General Counsel, that the Council could not initiate this ordinance but it had to request, as an elected body, the Metropolitan Development Commission, a non-elected body, to initiate this proposal. Councillor Rhodes believes that the Council should be able to direct the Commission. He finds fault with that section of the law.

The President explained that when unified government was formed there was great concern by the public on who would dominate planned land use. The law allows multiple appointments to the Commission so that no branch of local government could dominate land use. That is why one branch of government cannot direct the Commission on what it should do.

Councillor West said that he requested Mr. Elrod to draft a sample ordinance to prohibit off-track betting facilities in the Central Business District, and Mr. West said he will forward it to the Metropolitan Development Commission.

The President said that he has asked Councillor West and his Committee to look into how the variance boards operate. Councillor Williams remarked that no one knows how the members of the variance boards vote because they vote on little slips of paper. The members of the other boards vote in public.

Councillor Short asked for consent to abstain from voting on Proposal No. 575, 1994 due to a conflict of interest. Consent was given.

Proposal No. 575, 1994 was adopted on the following roll call vote; viz:

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

1 NAY: Mullin

2 NOT VOTING: Beadling, Short

1 NOT PRESENT: Giffin

Proposal No. 575, 1994 was retitled COUNCIL RESOLUTION NO. 81, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 81, 1994

A COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44).

WHEREAS, the City-County Council amended and the Metropolitan Development Commission approved amendments to zoning ordinances of Marion County establishing a special use (SU 44) for off-track pari mutuel wagering facilities, and

WHEREAS, the Council recommends that such satellite wagering facilities not be permitted in the Central Business District unless the site for such facility is zoned for that special use; 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 requests the director of the Department of Metropolitan Development and the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track pari mutuel satellite wagering facilities in such district unless such site is rezoned for such special use (SU 44).

SECTION 2. The chairman of the Metropolitan Development Commission is requested to report the status of this request to the chairman of Metropolitan Development Committee of this Council on or before December 1994.

PROPOSAL NO. 576, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 576, 1994 on October 26, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation from the County General Fund in the amount of \$1,100 to pay for a new computer for the Superior Court, Criminal Division, Room Five, financed by transferring other appropriations for that court. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do

pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 576, 1994 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Beadling, Williams

1 NOT PRESENT: Giffin

Proposal No. 576, 1994 was retitled FISCAL ORDINANCE NO. 97, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Thousand One Hundred Dollars (\$1,100) in the County General Fund for purposes of purchasing a new computer for the Superior Court, Criminal Division, Room Five, and reducing certain other appropriations for that court.

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.02(jj) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Five, to cover costs of a new computer.

SECTION 2. The sum of One Thousand One Hundred Dollars (\$1,100) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>1,100</u>
TOTAL INCREASE	1,100

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

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>1,100</u>
TOTAL DECREASE	1,100

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

PROPOSAL NO. 579, 1994. The proposal is an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department. Councillor Dowden asked for consent to postpone Proposal No. 579, 1994 until November 14, 1994. Consent was given.

OLD BUSINESS

The President said that last year the Council adopted a resolution urging the Indiana General Assembly to pass legislation adopting Daylight Saving Time. The Chamber of Commerce is going to take this matter to the state legislature this year.

Councillor Borst asked for consent to strike Proposal No. 591, 1994. Consent was given.

Councillor Ruhmkorff stated that at the September 28, 1994 Council meeting she requested that the Mayor's Office distribute a written report to all the Councillors within thirty days on the Mayor's Fellows Program, outlining where the Fellows are located and how much they are being paid. The report has never been distributed. Joseph Loftus, Deputy Mayor, said that he will make sure that the report is sent out this week.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Beadling asked for a moment of silence in memory of the 68 people who were killed on American Eagle Flight 4184 on Monday, October 31, 1994.

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

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Franklin in memory of Mrs. Doris Franklin Hall.

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 Mrs. Doris Franklin Hall. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

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

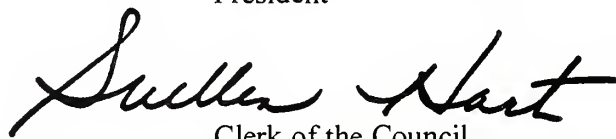
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 1st day of November, 1994.

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)