

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

**REGULAR MEETINGS  
MONDAY, NOVEMBER 14, 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 7:05 p.m. on Monday, November 14, 1994, with Councillor SerVaas presiding.

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

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Smith recognized former Councillor Ray Irwin. Councillor Beadling informed the Council that Harley Chapman, Sergeant-at-Arms, City-County Council, is in the hospital, and she wished him a speedy recovery. Councillor O'Dell introduced John Hay, Jr., Executive Director of the John H. Boner Community Center. Councillor O'Dell also introduced Deborah Smith, Franklin Township School Board member.

**OFFICIAL COMMUNICATIONS**

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

*Journal of the City-County Council*

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 14, 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

November 2, 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, November 4, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 585, 1994, to be held on Monday, November 14, 1994, at 7:00 p.m., in the City-County Building.

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

November 4, 1994

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. 156, 1994 - amending 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)

FISCAL ORDINANCE NO. 95, 1994 - 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

FISCAL ORDINANCE NO. 96, 1994 - 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 financed by transferring other appropriations for that agency

SPECIAL RESOLUTION NO. 73, 1994 - recognizing Andy Sims and the DPW Solid Waste Management Division

SPECIAL RESOLUTION NO. 74, 1994 - recognizing Raymond E. Gnat

SPECIAL RESOLUTION NO. 75, 1994 - recognizing the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum

SPECIAL RESOLUTION NO. 76, 1994 - determining 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

Respectfully,  
s/Stephen Goldsmith, Mayor

November 14, 1994

## ADOPTION OF THE AGENDA

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

## APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of November 1, 1994. There being no additions or corrections, the minutes were approved as distributed.

## PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 616, 1994. This proposal, sponsored by Councillor Smith, recognizes the Franklin Township School Board. Councillor Smith read the resolution and presented copies of the document to the following school board members: Chris Wood, Rosalie Hawthorne, Phillip Ross, Peggy Skidmore and Deborah Smith. Ms. Hawthorne expressed appreciation for the recognition. Councillor Smith moved, seconded by Councillor West, for adoption. Proposal No. 616, 1994 was adopted by unanimous voice vote.

Proposal No. 616, 1994 was retitled SPECIAL RESOLUTION NO. 77, 1994 and reads as follows:

### CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1994

A SPECIAL RESOLUTION recognizing the Franklin Township School Board.

WHEREAS, the mission of schools is education, and although most of the students are young people, Marion County's Franklin Township School Board has opted to take advantage of continuing educational opportunities offered by the Indiana School Boards Association; and

WHEREAS, through the opportunities that are presented by the Indiana School Boards Association, local school board members are provided training programs to support the effective discharge of their duties as leaders of public education in Indiana; and

WHEREAS, these programs use a variety of strategies to assist the board participants in broadening their knowledge regarding efficient and effective governance of public elementary and secondary education, institutes, conferences, workshops, seminars and retreats are some of the methods utilized in the delivery of this continuing self-improvement program for board members; and

WHEREAS, of the 289 public school boards in the state, only 15 have achieved the status of Outstanding School Board whereby a majority of the individuals on the local board have earned a Level One certification of 75 points; 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 commends the members of the Franklin Township School Board for achieving the Outstanding School Board status; namely: Chris Wood, Rosalie Hawthorne, Phillip Ross, Peggy Skidmore and Deborah Smith.

SECTION 2. The Franklin Township School Board demonstrates that education is a lifetime pursuit.

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.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 624, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 625, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 626, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 627, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 628, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 629, 1994. Introduced by Councillor Rhodes. 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 \$16,826 for the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 630, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 631, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase



*November 14, 1994*

the necessary office equipment financed by transferring other appropriations for that division"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 632, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Park General/Golf Fund in the amount of \$148,000 for the Department of Parks and Recreation, Golf Division, to make repairs to fuel pumps at eleven golf courses to meet EPA and OSHA requirements and to cover administrative costs incurred during 1993 and 1994 financed by transferring other appropriations for that division"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 633, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Park General Fund in the amount of \$40,000 for the Department of Parks and Recreation to make grants to various artists financed by the proceeds of the sale of the 'Snow Plow' sculpture"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 634, 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 \$2,180 for the Superior Court, Criminal Division, Room Six, to cover 1994 outstanding supply bills and to purchase supplies for Judge Carr Darden's replacement financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 635, 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 \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Dowden moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 635, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on December 12, 1994. This motion was seconded by Councillor Schneider, and passed by unanimous voice vote.

PROPOSAL NO. 636, 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 \$36,600 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 637, 1994 was withdrawn.

PROPOSAL NO. 638, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by

authorizing stop signs for the Maple Glen subdivision (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 639, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for Guion Lakes subdivision (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 640, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 641, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Liberty Creek subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 642, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at the Moore Road and 88th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 643, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 644, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 645, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 646, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 647, 1994. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 648, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing a multi-way stop at Arabian Run and West 48th Street (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 649, 1994. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 650, 1994. Introduced by Councillors O'Dell and Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 651, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 652, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 653, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 654, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

The President said that he is concerned with the number of stop signs that are being authorized and asked the Capital Asset Management Committee to become more aware of that issue.

PROPOSAL NO. 655, 1994. Introduced by Councillors Hinkle, O'Dell, Moriarty Adams, Brents and Franklin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION directing the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995"; and the President referred it to the Community Affairs Committee.



**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 623, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 623, 1994 on November 3, 1994. The proposal is an Inducement Resolution for Post Pointe Partners, Ltd., an Indiana limited partnership, to proceed with the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place on approximately 21.63 acres of land; 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 (District 14). 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. 623, 1994 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*1 NOT VOTING: Moriarty Adams*

Proposal No. 623, 1994 was retitled SPECIAL RESOLUTION NO. 78, 1994 and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1994**

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 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the Company and said facilities directly owned by the company;

WHEREAS, Post Pointe Partners, Ltd., an Indiana limited partnership (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, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, Indianapolis, Indiana on approximately 21.63 acres of land; 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 retention of opportunities for gainful employment (nineteen (19) jobs at the end of one year and three years plus the creation of a construction job payroll over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, 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, the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:



November 14, 1994

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 retention and creation of opportunities for gainful employment within the jurisdiction of 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 retention and 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 Six Million Eight Hundred Thousand Dollars (\$6,800,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, 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, construction, 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, construction, 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 May 31, 1995, 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 ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as 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) if applicable, 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, renovation, 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 1.150-2.

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

PROPOSAL NOS. 656-664, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 10, 1994." The Council did not schedule Proposal Nos. 656-664, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 656-664, 1994 were retitled REZONING ORDINANCE NOS. 143-151, 1994 and are identified as follows:

REZONING ORDINANCE NO. 143, 1994. 94-Z-119 (Corrected) PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

3603 SOUTH SHERMAN DRIVE (approximate address), BEECH GROVE.  
APEX OIL COMPANY, INC., by James W. Beatty, requests the rezoning of 99.7 acres, being in the D-6(FF)(FW), D-A(FF)(FW) and D-P(FF)(FW) Districts, to the D-3(FF)(FW) classification to provide for a single-family subdivision development.

REZONING ORDINANCE NO. 144, 1994. 94-Z-118 PIKE TOWNSHIP,  
COUNCILMANIC DISTRICT # 1.

4930 and 4942 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.  
L.M. LURIE ASSOCIATES, INC. by David R. Warshauer, requests the rezoning of 2.85 acres, being in the D-4 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 145, 1994. 94-Z-151 (Amended) WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.

4704 EAST 62ND STREET (approximate address), INDIANAPOLIS.  
JOHN L. RYBOLT requests the rezoning of 1.85 acres, being in the D-A(FF) and D-3(FF) Districts, to the D-5(FF) classification to provide for the development of three two-family residences.

REZONING ORDINANCE NO. 146, 1994. 94-Z-156 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.

6802 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.  
MAINSTAY, INC., by Philip A. Nicely, requests the rezoning of 45.49 acres, being in the D-A(FF) Districts, to the D-2(FF) classification to provide for a single-family residential subdivision development, utilizing the cluster option.

REZONING ORDINANCE NO. 147, 1994. 94-Z-158 (Amended) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

1055 NORTH GIRLS SCHOOL ROAD (approximate address), INDIANAPOLIS.  
HOPE BAPTIST CHURCH requests the rezoning of 3.18 acres, being in the C-1 District, to the SU-1 classification to provide for the placement of a modular office unit to be used as classroom space for an existing church.

REZONING ORDINANCE NO. 148, 1994. 94-Z-161 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.

2301 and 2303 EAST 10TH STREET (approximate address), INDIANAPOLIS.  
GARY C. BALL requests the rezoning of 0.253 acre, being in the C-2 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 149, 1994. 94-Z-164 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

3504 DEVELOPERS ROAD (approximate address), INDIANAPOLIS.  
DONALD KOSTEN and CHOICE INNS, INC., by C. Warren Nerz, request the rezoning of 3.5 acres, being in the D-4 and C-4 Districts, to the C-ID classification to provide for a motor distribution operation.

REZONING ORDINANCE NO. 150, 1994. 94-Z-172 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

2645, 2653 NORTH HARDING STREET and  
1373 WEST 27TH STREET (approximate address), INDIANAPOLIS.  
RAINBOW OF HOPE, INC., by Joseph D. Calderon, requests the rezoning of 0.33 acre, being in the C-3 and D-5 Districts, to the SU-7 classification to provide for transitional housing for families and related services for the residents of the facility.

REZONING ORDINANCE NO. 151, 1994. 94-Z-174 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

2451 TANSEL ROAD (approximate address), INDIANAPOLIS.  
REPUBLIC DEVELOPMENT CORP., by James R. Nickels, requests the rezoning of 69.2 acres, being in the D-A(FF) District, to the D-3(FF) classification to provide for single-family residential subdivision development.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NOS. 26 and 480, 1994. PROPOSAL NO. 26, 1994. The proposal appropriates \$10,913 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. PROPOSAL NO. 480, 1994. The proposal is an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund. Councillor Dowden asked for consent to postpone Proposal Nos. 26 and 480, 1994 until December 12, 1994. Consent was given.

PROPOSAL NO. 243, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 243, 1994 on October 12, 1994. The proposal appropriates \$470,000 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. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Ruhmkorff asked if the Sheriff has included this expense in his 1995 budget. Councillor Dowden answered in the negative. The President suggested that perhaps there will be some unencumbered funds at year-end in the Sheriff's budget that could be used to offset this expense. Councillor Dowden stated that Jack Borgerding, Chief Financial Officer for the Council, and Major Randy Hamilton, Administration Officer, Sheriff's Department, are working together to see if they can identify some unexpended funds.

Councillor Borst stated that he voted against this proposal in Committee and will vote against it again because he would like to vote on this appropriation at the last meeting of the year in case there are some fund balances found in the Sheriff's budget.

The President called for public testimony at 7:37 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 243, 1994, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 243, 1994, as amended, was retitled FISCAL ORDINANCE NO. 98, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Four Hundred Seventy Thousand Dollars (\$470,000) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County 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.

SECTION 2. The sum of Four Hundred Seventy Thousand Dollars (\$470,000) 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>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>470,000</u>
TOTAL INCREASE	470,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>470,000</u>
TOTAL REDUCTION	470,000

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

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 579, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 579, 1994 on October 26, 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 579, 1994 was adopted on the following roll call vote; viz:

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

Proposal No. 579, 1994 was retitled FISCAL ORDINANCE NO. 99, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Thirty-seven Thousand Six Hundred Seventy-eight Dollars (\$37,678) in the County General Fund for purposes of miscellaneous contractual amounts through remainder of 1994 for the County Sheriff 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(aa) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Sheriff to pay miscellaneous contractual amounts through the remainder of 1994.

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SECTION 2. The sum of Thirty-seven Thousand Six Hundred Seventy-eight Dollars (\$37,678) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>37,678</u>
TOTAL INCREASE	37,678

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>37,678</u>
TOTAL REDUCTION	37,678

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. 549, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 549, 1994 on October 17 and November 3, 1994. The proposal amends the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation. The new structure was explained in detail during the 1995 budget hearings. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Giffin moved, seconded by Councillor Shambaugh, for adoption.

Councillor Golc stated that at the Committee meeting he learned that about 60 jobs will be reclassified due to this reorganization. He asked what will be the net gain or loss as a result of this reclassification. Leon Younger, Director, Department of Parks and Recreation, replied that there are 246 full-time positions budgeted for 1995 and in 1994 there were 254. Fifty-eight people will be affected by the position changes.

Councillor Gray asked if the whole park system or only Eagle Creek Park receives the revenues from the restaurant at Eagle Creek Park. Mr. Younger replied that Eagle Creek Park receives the restaurant revenues. Eagle Creek Park has a gate admission and currently it is about 75% self-supporting.

Councillor Boyd asked if there will be any persons currently employed who will be unemployed as a result of the reorganization. Mr. Younger said that there is a potential that there will be six to seven people who will be unemployed. Councillor Boyd asked if the job descriptions have been rewritten so that persons who might ordinarily apply for those positions would not be eligible. Mr. Younger said that no positions were written that would make a person ineligible based on education requirements. In-house employees will be given first consideration.

Proposal No. 549, 1994, as amended, was adopted on the following roll call vote: viz:

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

Proposal No. 549, 1994, as amended, was retitled GENERAL ORDINANCE NO. 157, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 157, 1994

A PROPOSAL FOR A GENERAL ORDINANCE amending the Section of the Revised Code dealing with the powers, duties and organization of the Department of Parks and Recreation.

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

SECTION 1. Sec. 241-1 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-1. Department established.

Pursuant to IC 36-10-3-3 there is hereby established a department of parks and recreation for the park district pursuant to IC 36-3-5-4 subject to IC 36-3-4-23. The Department's official name will be Indianapolis Department of Parks and Recreation (a/k/a Indy Parks and Recreation).

SECTION 2. Sec. 241-13 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-13. Divisions.

The department of parks and recreation shall be composed of the following divisions:

- (1) ~~Support services~~ Neighborhood parks division.
- (2) ~~Financial services~~ Magnet parks division.
- (3) ~~Marketing services~~ Regional parks division.
- (4) ~~Recreation and special facilities~~ Quality recreation programs division.
- (5) ~~Natural resources~~ Resource development division.
- (6) ~~Golf services~~ Golf division.
- (7) ~~Eagle Creek~~ Support services division.

SECTION 3. Sec. 241-101 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-101. ~~Support Services~~ Neighborhood parks division.

The ~~support services~~ Neighborhood parks division shall:

- (1) ~~Provide management and support to the department~~ Establish and monitor baseline quality maintenance standards for all neighborhood parks;
- (2) ~~Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations~~ Implement an enhancement program to work with organized neighborhood entities to enhance their local park; and
- (3) ~~Provide to the department support in areas of purchasing and procurement, stock inventory and concessions management, and fleet management;~~ Provide every neighborhood the opportunity and responsibility to reclaim stewardship of their public spaces.
- (4) ~~Provide for the building and ground maintenance of parks and facilities within park district;~~



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- ~~(5) Be responsible for the organization and implementation of a customer service operation, including the issuance of permits and centralized registration;~~
- ~~(6) Manage all aspects of the department's data processing systems; and~~
- ~~(7) Provide for the safety and security of all park and recreational facilities.~~

SECTION 4. Sec. 241-201 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-201. ~~Financial services~~ Magnet parks division.

The ~~financial services~~ magnet parks division shall:

- (1) ~~Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis~~ Generate significant opportunities for neighborhoods to utilize a park close in proximity to their home that have major amenities not available in a neighborhood park;
- (2) ~~Be responsible for the management of all aspects of the department's accounting and auditing systems, including the monitoring of all cash control systems~~ Generate sufficient fee revenue to help offset the cost of the enhanced programs and facilities; and
- (3) ~~Administer and coordinate the preparation of all contracts within the department;~~ Coordinate all amenities of the park from a resource management perspective to create additional positive, collaborative, and interactive synergies for program and customer satisfaction.

SECTION 5. Sec. 241-301 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-301. ~~Marketing services~~ Regional parks division.

The ~~marketing services~~ regional parks division shall; ~~provide for all marketing needs of the department, including public and media relations, printing, photography and research support and volunteer coordination.~~

- (1) Manage and operate Eagle Creek Park and Riverside Regional Park and any other parks which may be designated as Regional in nature;
- (2) Draw patrons from more than a county-wide demographic area and have a revenue enhancement focus; and
- (3) Create programs and events to provide leisure opportunities in a safe and enjoyable environment for all people.

SECTION 6. Sec. 241-401 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-401. ~~Recreation and special facilities~~ Quality recreation program division.

The ~~recreation and special facilities~~ Quality recreation program division shall:

- (1) ~~Be responsible for the organization and management of all recreation and family centers within the park district including aquatics coordination~~ Plan, develop, and provide community recreation opportunities for individuals, families, and groups of Indianapolis and Marion County of varied ages and backgrounds;
- (2) ~~Plan, develop and provide community recreational opportunities, leisure services and specialized athletic activities to all residents of the park district regardless of age, race, religion, sex or national origin~~ Organize activities that represent a wide range of offerings in sports, arts, play, social, environmental, self-improvement, travel, and more; and
- (3) ~~Provide and manage specialized sports facilities within the park district;~~ Offer quality recreation programs to those who seek to improve their lives and the greater community good, through

participation in physical, social and creative endeavors, regardless of their ability, economic status, or residence.

SECTION 7. Sec. 241-501 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-501. ~~Natural Resources~~ development division.

The ~~natural~~ resource development division shall:

- (1) ~~Manage all property and resources within the park district and oversee the administration of all grants; and~~ Coordinate all property transactions for the park district;
- (2) ~~Construct, design and plan parks for the park district.~~ Provide stewardship of natural resource areas within the park district;
- (3) Oversee the administration of all grants;
- (4) Manage the planning, designing and construction of parks and facilities and administer the capital improvement program and the resource development model; and
- (5) Develop and manage the Indianapolis Greenways System.

SECTION 8. Sec. 241-601 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-601. ~~The Golf services~~ division.

The ~~golf services~~ division shall: ~~be responsible for the maintenance, operation and programming of all municipal golf courses within the park district.~~

- (1) Create meaningful and enjoyable golfing opportunities for people of all ages and playing abilities;
- (2) Provide competitive playing conditions that meet customer expectations at fair market pricing;
- (3) Provide ancillary golf amenities like driving ranges, pro shops, golf carts, and concessions that meet quality standards; and
- (4) Ensure the golfing customer, the city of Indianapolis, and the golf operators are receiving value for dollars spent.

SECTION 9. Sec. 241-701 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-701. ~~Eagle Creek~~ Support services division.

The ~~Eagle Creek~~ support services division shall: ~~administer Eagle Creek Park with special emphasis on providing outdoor recreational activities.~~

- (1) Provide management and support to the department's lines of business;
- (2) Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations;
- (3) Provide for the building and grounds maintenance of parks and facilities within the park district;
- (4) Manage all aspects of the department's management information systems;
- (5) Provide for the safety and security of all park and recreation facilities;
- (6) Provide all marketing needs of the department, including public and media relations, printing, photography, market research, volunteer coordination, sponsorships, partnerships, and grants;

- (7) Provide a customer service operation which includes the issuance of permits and centralized registration;
- (8) Provide support in areas of purchasing, procurement, stock inventory and fleet management;
- (9) Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis;
- (10) Be responsible for the management of all aspects of the department's accounting and auditing systems, including the monitoring of all cash control systems; and
- (11) Administer and coordinate the preparation of all contracts within the department.

SECTION 10. (a) The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

SECTION 11. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if an only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NOS. 608 and 609, 1994. Councillor Dowden discussed these two proposals together. PROPOSAL NO. 608, 1994. The proposal 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. PROPOSAL NO. 609, 1994. The proposal 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. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 608 and 609, 1994 on November 9, 1994. By a 4-2 vote, the Committee reported Proposal No. 608, 1994 to the Council with the recommendation that it do pass. By a 6-0 vote, the Committee reported Proposal No. 609, 1994 to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption.

Proposal No. 608, 1994 was adopted on the following roll call vote; viz:

*21 YEAS: Black, Borst, Brents, Coughenour, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, West, Williams*

*8 NAYS: Beadling, Boyd, Curry, Gilmer, Gray, Mullin, Ruhmkorff, SerVaas*

Proposal No. 608, 1994 was retitled FISCAL ORDINANCE NO. 100, 1994 and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 100, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty-three Thousand Nine Hundred Dollars (\$43,900) in the Drug Free Community Fund for purposes of the Marion County Justice 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 (b) and (ee) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to pay salary and fringes to county employees rather than contractors, as was originally planned.

SECTION 2. The sum of Forty-three Thousand Nine Hundred Dollars (\$43,900) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	40,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>3,900</u>
TOTAL INCREASE	43,900

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>43,900</u>
TOTAL DECREASE	43,900

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

Proposal No. 609, 1994 was adopted on the following roll call vote; viz:

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

Proposal No. 609, 1994 was retitled FISCAL ORDINANCE NO. 101, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Twenty Thousand Thirty-eight Dollars (\$20,038) in the Drug Free Community Fund for purposes of the Marion County Justice 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 (b) and (ee) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency to reimburse I-Challenge for its Executive Director's salary and fringes.

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SECTION 2. The sum of Twenty Thousand Thirty-eight Dollars (\$20,038) 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>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>20,038</u>
TOTAL INCREASE	20,038

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

<u>COUNTY AUDITOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services - fringes	3,600

<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	<u>16,438</u>
TOTAL DECREASE	20,038

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

PROPOSAL NO. 589, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 589, 1994 on November 2, 1994. The proposal, sponsored by Councillor Black, amends the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 589, 1994 was adopted on the following roll call vote; viz:

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

Proposal No. 589, 1994 was retitled GENERAL ORDINANCE NO. 158, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 158, 1994

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 20	Kingsley Dr & 49th St	49th St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 20	Kingsley Dr & 49th St	None	All Stop

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

PROPOSAL NO. 614, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 614, 1994 on November 2, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22). This area is called the Methodist Corridor. 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 Williams, for adoption.

Councillor Gilmer introduced Bruce Melchert, Vice President of Governmental Affairs, Methodist Hospital. Mr. Melchert said that Methodist Hospital is committed to staying in this area. They have set up a revolving fund of \$700,000 for loans for people who are investing in a new home, and they are part of a project which is renovating 100 homes in the area.

Councillor Borst said he will not support this proposal because the meters will be removed from the street and replaced with a parking garage at 20th Street, which will be a big inconvenience to consumers.

Proposal No. 614, 1994, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 614, 1994, as amended, was retitled GENERAL ORDINANCE NO. 159, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 159, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-283, Parking meter zones designated; Sec. 29-267, Parking prohibited at all times on certain streets; and Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby, amended by the deletion of the following, to wit:

TWO HOURS

Capitol Avenue, on the east side, from a point 30 feet north of  
Sixteenth Street, north to a point 185 feet north of Sixteenth Street

Capitol Avenue, on the east side, from a point 450 feet north of  
Sixteenth Street, north to a point 30 feet south of Eighteenth Street

Capitol Avenue, on the east side,  
from Nineteenth Street to Twenty-first Street

Capitol Avenue, on the west side,



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from a point 440 feet north of Sixteenth Street to Twenty-first Street

SECTION 2. 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 deletion of the following, to wit:

Capitol Avenue, on the east side,  
from Eighteenth Street to Nineteenth Street

Capitol Avenue, on the west side, from Sixteenth Street  
to a point 440 feet north of Sixteenth Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Capitol Avenue, on both sides,  
from Sixteenth Street to Twenty-first Street

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

### ANNOUNCEMENTS AND ADJOURNMENT

Councillor McClamroch read an article in the *Indianapolis News* concerning Tony Hinkle, who plays football for Rose Hulman. Councillor McClamroch congratulated Councillor Hinkle, Tony's father.

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 moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Evvie Louise Betty. 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 her family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:12 p.m.

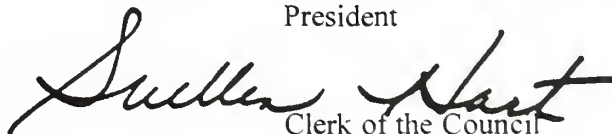
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 14th 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)