

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

**REGULAR MEETINGS  
MONDAY, MARCH 18, 1996**

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 7:11 p.m. on Monday, March 18, 1996, with Councillor SerVaas presiding.

Councillor Moriarty Adams 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: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*  
*1 ABSENT: Schneider*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Moores wished her parents a happy 29th wedding anniversary and expressed her joy in having a new nephew, William Thomas, born March 6. Councillor O'Dell wished his three-year-old son a happy birthday.

**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 the 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, March 18, 1996, 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

March 5, 1996

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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COURT AND COMMERCIAL on Thursday, March 7, 1996, a copy of a NOTICE TO TAXPAYERS of:

- (1) Public Hearing on Proposal Nos. 124 and 164, 1996, said hearing to be held at the City-County Council meeting on Monday, March 18, 1996, at 7:00 p.m. in the City-County Building.
- (2) Public Hearing on Proposal No. 101, 1996, said hearing to be held at the Public Works Committee meeting on March 28, 1996, at 5:00 p.m. in Room 260 in the City-County Building.

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

March 1, 1996

TO THE HONORABLE PRESIDENT AND 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:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 7, 1996: an appropriation of \$3,273 for the Franklin Township Assessor to pay for 1996 computer lease/purchase financed from the County General Fund balances

FISCAL ORDINANCE NO. 8, 1996: an appropriation of \$3,049,453 for the Department of Capital Asset Management, Finance and Administration Division, to pay for the public transportation program financed by revenues in the Transportation General Fund, Federal Grants Fund, and State Grants Fund

FISCAL ORDINANCE NO. 9, 1996: an appropriation of \$12,144 for the County Sheriff for overtime reimbursement for officers assigned to the F.B.I. Task Force Program financed by revenues from the State and Federal Grants Fund

FISCAL ORDINANCE NO. 10, 1996: an appropriation of \$9,039 for the Prosecuting Attorney to reimburse the County Auditor for salaries paid in 1995 for the Weed and Seed Grant financed by revenues from the State and Federal Grants Fund

FISCAL ORDINANCE NO. 11, 1996: an appropriation of \$44,989 for the Prosecuting Attorney and County Auditor to fund one deputy prosecutor from the 1996 Weed and Seed Program through the Indianapolis Police Department financed by revenues from the State and Federal Grants Fund

FISCAL ORDINANCE NO. 12, 1996: an appropriation of \$50,000 for the Department of Parks and Recreation to hire a full-time Golf Division Administrator financed by a transfer within the department's Park General Fund

March 18, 1996

GENERAL ORDINANCE NO. 18, 1996: authorizes a traffic signal at Arlington Avenue and Thompson Road (District 23)

GENERAL ORDINANCE NO. 19, 1996: authorizes multi-way stops for the Liberty Creek subdivision (District 1)

GENERAL ORDINANCE NO. 20, 1996: authorizes stop signs for Country Pointe Section 2 (District 18)

GENERAL ORDINANCE NO. 21, 1996: authorizes intersection controls for the subdivision of Fieldstone Section 1 (District 9)

GENERAL ORDINANCE NO. 22, 1996: authorizes stop signs for the Brookstone Subdivision, Section 1 (District 9)

GENERAL ORDINANCE NO. 23, 1996: authorizes a multi-way stop at Bay Pointe Circle and Old Stone Drive (District 5)

GENERAL ORDINANCE NO. 24, 1996: authorizes a multi-way stop at Canyon Road and Yellowstone Parkway, and at Glacier Drive and St. James Drive (District 25)

GENERAL ORDINANCE NO. 25, 1996: authorizes a multi-way stop at Louise Drive and Mary Lane (District 25)

GENERAL ORDINANCE NO. 26, 1996: authorizes stop signs at Dapple Trace and Manning Road (District 2)

GENERAL ORDINANCE NO. 27, 1996: authorizes a multi-way stop at Murry Street and Villa Avenue (District 24)

GENERAL ORDINANCE NO. 28, 1996: authorizes a multi-way stop at Lexington Avenue and Spruce Street (District 21)

GENERAL ORDINANCE NO. 29, 1996: authorizes a multi-way stop at Hoyt Avenue and Laurel Street (District 21)

GENERAL ORDINANCE NO. 30, 1996: authorizes a multi-way stop at Shore Drive and Shore Terrace (District 1)

GENERAL ORDINANCE NO. 31, 1996: authorizes a multi-way stop at 49th Street and Crittenden Avenue (District 6)

GENERAL ORDINANCE NO. 32, 1996: authorizes parking restrictions on Compton Street from 60th Street to 61st Street (District 7)

GENERAL ORDINANCE NO. 33, 1996: authorizes parking restrictions on Koehne Street from Washington Street north to underpass (District 17)

GENERAL ORDINANCE NO. 34, 1996: reduces the speed limit from 40 mph to 35 mph on Zionsville Road from 62nd Street to 71st Street (District 1)

GENERAL ORDINANCE NO. 35, 1996: authorizes additional parking meters on the spokes to Monument Circle (District 16)

SPECIAL RESOLUTION NO. 6, 1996: recognizes the Indianapolis Colts

SPECIAL RESOLUTION NO. 7, 1996: recognizes the Indianapolis Fire Department's *Learn Not To Burn* public education program

SPECIAL RESOLUTION NO. 8, 1996: recognizes the champion Central Catholic Saints basketball team

SPECIAL RESOLUTION NO. 9, 1996: recognizes the reassessment cost savings by the Marion County township assessors

SPECIAL RESOLUTION NO. 10, 1996: recognizes Dale Best

SPECIAL RESOLUTION NO. 11, 1996: recognizes the Richard and Annette Bloch Cancer Survivors Park in downtown Indianapolis

SPECIAL RESOLUTION NO. 12, 1996: commends the actions of Henry Lee Lloyd, Jr.



SPECIAL RESOLUTION NO. 13, 1996: amends S.R. No. 65, 1995, as amended, by extending the expiration date for Faris Avenue, L.P. through September 30, 1996, at 6875 Faris Avenue (District 11)

SPECIAL RESOLUTION NO. 14, 1996: amends S.R. No. 66, 1995, as amended, by extending the expiration date of Emerald Green Partners, Ltd. through September 30, 1996, at 6363 Commons Drive (District 1)

SPECIAL RESOLUTION NO. 15, 1996: an inducement resolution for White Arts, Inc., in an amount not to exceed \$5,000,000 to proceed with the construction, acquisition and equipping of certain commercial printing facilities located at 1203 East St. Clair (District 16)

SPECIAL RESOLUTION NO. 16, 1996: amends S.R. No. 34, 1995, as amended, by consenting to the substitution of American Opportunity Foundation, Inc. for Willowbrook Park, L.P. as the applicant for the project, located at 4803 Round Lake Road (District 7)

SPECIAL RESOLUTION NO. 17, 1996: approves a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading for the purpose of providing radio reading programs for the blind and print-disabled in Marion County

SPECIAL ORDINANCE NO. 2, 1996: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$8,000,000 for Post Pointe Partners, Ltd. (District 14)

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 THE JOURNAL**

The President called for additions or corrections to the Journal of February 26, 1996. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 234, 1996. The proposal, sponsored by Councillor O'Dell, recognizes IPTC retirees. Councillor O'Dell read the proposal and introduced Ted Rieck, IPTC General Manager. Mr. Rieck expressed his appreciation on behalf of the retirees and thanked retirees for their service. Councillor O'Dell presented Mr. Rieck and the retirees with copies of the document and Council pins. Councillor O'Dell moved, seconded by Councillor Franklin, for adoption. Proposal No. 234, 1996 was adopted by a unanimous voice vote.

Proposal No. 234, 1996 was retitled SPECIAL RESOLUTION NO. 18, 1996 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1996**

A SPECIAL RESOLUTION recognizing IPTC retirees.

WHEREAS, last Fall, the City of Indianapolis conducted a very innovative and challenging bidding process for routes that had traditionally been operated by Indianapolis Public Transportation's METRO buses; and

WHEREAS, as part of METRO's effort to bid on this work, fifty employees took an early retirement option; and

March 18, 1996

WHEREAS, those retired workers, representing both labor and management, made it possible for METRO to make a competitive bid which saved 200 jobs and stabilized transit in the community; 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 new IPTC retirees: Harold Davis, John Deloney, Jack Island, Myron Sprong, Jack Steirwalt, Bob Tonte, Keith Ubelhauser, Ruth Ensey, Howard Wood, James Barksdale, Ed Miller, Lucille Garrett, Ransome Bradley, Billy Burks, Art Johnson, Patricia Letts, Jerome Currin, Fred Malin, Don Turman, David Taylor, Harold O'Connor, Oliver Clemons, Michael Laswell, James Fulce, Lynden Ward, Johnny Hurd, Joe Rouse, Dennis Daniels, Larry Maxwell, Harlem Baker, Bobby Fletcher, Jerry Adams, Richard Gill, Jackie Walters, Dewayne Wilson, Boyd Johnson, William Owens, Robert Thompson, Alma J. McElwain, Paul Weaver, Russell Currin, Elvy Hart, Elmer Pike, Bernice Matheson, Dick Slagle, Thomas Weakley, Kenny Kerst, Marjesta Burks, Walter Jordan and Judy Gregory.

SECTION 2. This new "alumni association" group represents an extremely impressive 1,207 years worth of transit driving, maintenance, supervisory and management experience in Indianapolis.

SECTION 3. The Council thanks them for their service to this community, and wishes them the very best in retirement.

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. 235, 1996. The proposal, sponsored by Councillor Cockrum, recognizes the 1995-96 Decatur Central Boys basketball team. Councillor Cockrum read the proposal and presented the team members and coaches with copies of the document and Council pins. Head Coach Rick Rosebrough introduced individual team members and assistant coaches, and thanked the Council for this honor. Councillor Cockrum moved, seconded by Councillor McClamroch, for adoption. Proposal No. 235, 1996 was adopted by a unanimous voice vote.

Proposal No. 235, 1996 was retitled SPECIAL RESOLUTION NO. 19, 1996 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1996

A SPECIAL RESOLUTION recognizing the 1995-96 Decatur Central boys basketball team.

WHEREAS, on Saturday, March 2, 1996, the Decatur Central Hawks boys basketball team won the IHSAA Sectional tournament and was escorted home by fire trucks to an enthusiastic pep rally; and

WHEREAS, the last time that Decatur Central had advanced so far was 1958 when Eisenhower was in the White House, the first jet airliners were put into service and the American flag only had 48 stars; and

WHEREAS, late in the third quarter of the final game the Hawks were down by 16 points to the strong Southport Cardinals, but the scrappy Hawks had spirit, determination and a terrific winning attitude; and

WHEREAS, at the final buzzer Decatur Central High School could proudly claim its first boys basketball Sectional trophy in 38 years; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Decatur Central High School High School boys basketball team for an outstanding season capped with the first Sectional win since their grandparents days.



SECTION 2. The Council specifically commends team members Shawn Capps, Mike Green, Jason Park, Shawn Smith, Brad Tidd, Derek White, Kyle Enright, Wilbert Morelon, Sam Ward, Clint Stevens, A.J. Steward and Travis Turner.

SECTION 3. Also recognized is Team Manager Derrick Barber, Head Coach Rick Rosebrough, Assistant Coaches Doug Seagrave, Brian Disney and Scott Johnson, Assistant Athletic Director Steve Stocker, Athletic Director Dave Rather, Principal Paul Kaiser, and the parents, cheerleaders, fans and all the others of Decatur Township who made this such an outstanding year.

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.

The President stated that Proposal Nos. 128, 130, 185, 186, 187, and 189, 1996 were all board appointments, had all passed through committee with unanimous votes, and would be voted on together.

PROPOSAL NO. 128, 1996. The proposal, sponsored by Councillor McClamroch, reappoints Wayne Reynolds to the Speedway Economic Development Commission. PROPOSAL NO. 130, 1996. The proposal, sponsored by Councillor McClamroch, reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. PROPOSAL NO. 185, 1996. The proposal, sponsored by Councillor McClamroch, appoints James W. Scott to the Indianapolis Economic Development Commission. PROPOSAL NO. 186, 1996. The proposal, sponsored by Councillor McClamroch, appoints Robert Spear to the Alcoholic Beverage Board of Marion County. PROPOSAL NO. 187, 1996. The proposal, sponsored by Councillor McClamroch, appoints George Taylor to the Board of Public Safety. PROPOSAL NO. 189, 1996. The proposal, sponsored by Councillor McClamroch, appoints Leslie Duvall to the Marion County Community Corrections Advisory Board. Councillor McClamroch moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 128, 130, 185, 186, 187, and 189, 1996 were adopted by a unanimous voice vote.

Councillor Bradford asked to be shown as an abstention on Proposal No. 186, 1996 due to a conflict of interest.

Proposal No. 128, 1996 was retitled COUNCIL RESOLUTION NO. 27, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1996

A COUNCIL RESOLUTION reappointing Wayne Reynolds to the Speedway Economic Development Commission.

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

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

Wayne Reynolds

SECTION 2. The appointment made by this resolution is for a term ending January 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

March 18, 1996

Proposal No. 130, 1996 was retitled COUNCIL RESOLUTION NO. 28, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1996

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission.

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

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

Jack H. Hall, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 185, 1996 was retitled COUNCIL RESOLUTION NO. 29, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1996

A COUNCIL RESOLUTION appointing James W. Scott to the Indianapolis Economic Development Commission.

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

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

James W. Scott

SECTION 2. The appointment made by this resolution is for a term ending January 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 186, 1996 was retitled COUNCIL RESOLUTION NO. 30, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 1996

A COUNCIL RESOLUTION appointing Robert Spear to the Alcoholic Beverage Board of Marion County.

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

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council appoints:

Robert Spear

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 187, 1996 was retitled COUNCIL RESOLUTION NO. 31, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 1996

A COUNCIL RESOLUTION appointing George Taylor to the Board of Public Safety.

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

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

George Taylor

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 189, 1996 was retitled COUNCIL RESOLUTION NO. 32, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 1996

A COUNCIL RESOLUTION appoints Leslie Duvall to the Marion County Community Corrections Advisory Board.

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

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Leslie Duvall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 204, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the necessity of the Indianapolis-Marion County Building Authority acquiring and renovating real estate and buildings located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 205, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the necessity of the Sheriff's Department investigating the purchase of real estate and buildings located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 206, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Promissory Notes in connection with a HUD Section 108 guaranteed loan in the amount of \$7,600,000 for the purpose of assisting the development of industrial parks in Center Township, the redevelopment



*March 18, 1996*

of property near the intersection of Martin Luther King and 16th Street, and other projects to be determined"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 207, 1996. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$375,000 for the Department of Metropolitan Development, Planning Division, to establish an ozone public awareness and education program financed by a federal grant"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 208, 1996. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$760,000 for the Department of Parks and Recreation to make capital improvements financed from the Consolidated County Cumulative Capital Development Fund balance"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 209, 1996. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$4,480,000 for the Department of Parks and Recreation to make capital improvements financed by grants from Lilly Endowment"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 210, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation to distribute \$1,424,769 of deferral fees to the Prosecuting Attorney, County Auditor, County Sheriff, and Marion County Superior Court financed by revenues in the Deferral Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 211, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$207,200 for the Department of Public Safety, Police Division, to help fund the Weed and Seed Program financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 212, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$525,521 for the Department of Public Safety, Police Division, to help fund the Weed and Seed Program financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 213, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$514,304 for the Department of Public Safety, Police Division, to hire ten additional police officers financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 214, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$75,281 for the Department of Public Safety, Police Division, to establish in partnership with the Hudson Institute a national model for using criminology more directly to help fight crime financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 215, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$84,400 for the Department of Public Safety, Fire Division, to fully fund the 1996 purchase of firefighting apparatus financed from the City Cumulative Capital Development Fund balance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 216, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$645 for the Department of Public Safety, Division of Weights and Measures, to cover coverage for the purchase of a vehicle financed by a transfer within the division's Consolidated County Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 217, 1996. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$120,000 for the Metropolitan Emergency Communications Agency to replace 3 radio antenna towers used in the MECA system financed from the Metropolitan Emergency Communications Fund balance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 218, 1996. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which allows the Board of Capital Asset Management to establish certain sanitary sewer fees by regulation"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 219, 1996. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 71st Street/Waldemar Drive/Pike High School Access Drive (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 220, 1996. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Shelby Street and Sumner Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 221, 1996. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Lafayette Road/High School Road/ 62nd Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 222, 1996. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Mann Road and Mooresville Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 223, 1996. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Park Avenue and 15th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 224, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 13th Street and Farley Drive (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 225, 1996. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lawrence Avenue and Otterbein Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 226, 1996. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a loading zone on a segment of Talbot Street north of Vermont Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 227, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes one-way traffic flow on Downey Avenue southbound from Washington Street to Julian Avenue (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 228, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Sondra Gunnell to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 229, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Martin G. (Mike) Ramey to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 230, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Chester Carpenter to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 231, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Margot L. Eccles to the Indianapolis Parks Foundation Board of Trustees"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 232, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 233, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Michael Duff to the Common Construction Wage Committee to determine common construction wages in the Police and Fire Special Service Districts", and the President referred it to the Whole Committee.



PROPOSAL NO. 246, 1996. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which requests a study for a two-thirds council majority vote to be required for the sale, lease, swap, trade or gift of public assets owned by the City"; and the President referred it to the Administration and Finance Committee.

Councillor McClamroch asked if Proposal No. 233, 1996, which was introduced and referred to the Whole Committee, could be considered for adoption at this meeting because of the urgency required by the appointment. Councillor Williams asked if background information was available for Michael Duff, the appointee being considered. Councillor McClamroch responded that he would obtain information and re-introduce the matter under New Business at the end of the meeting.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 201, 1996. Councillor Borst reported that the Economic Development Committee heard Proposal No. 201, 1996 on March 13, 1996. The proposal authorizes the issuance of variable/fixed rate multi-family housing revenue bonds in the principal amount not to exceed \$8,700,000 for Crossing Partners, L.P. at 4000 North Franklin Road (District 12). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst stated that an amended version of Proposal No. 201, 1996 was distributed to all the Councillors. The amended version deletes the section requiring a Preliminary Statement, which is no longer necessary in light of the bonds being issued by a different company. He asked for consent to accept the amended version. Consent was given.

Councillor Borst moved, seconded by Councillor Coonrod, for adoption. Proposal No. 201, 1996, as amended, was adopted on the following roll call vote; viz:

*26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, SerVaas, Shambaugh, Smith, Talley, Tilford, Williams*  
*0 NAYS:*  
*2 NOT VOTING: Moriarty Adams, Short*  
*1 ABSENT: Schneider*

Councillor Moriarty Adams stated that she abstained due to a conflict of interest.

Proposal No. 201, 1996, as amended, was retitled SPECIAL ORDINANCE NO. 3, 1996 and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1996**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$8,700,000 City of Indianapolis Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1996 (Crossing Partners, L.P. Project) and approving and authorizing other actions in respect thereto,

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

March 18, 1996

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Crossing Partners, L.P. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, rehabilitation and equipping of the existing 240 unit apartment complex located at 4000 North Franklin Road, Indianapolis, Indiana, on approximately 18 acres of land which will be owned and operated by the Company; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, rehabilitation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1996 (Crossing Partners, L.P. Project) (the "Bonds") in the aggregate principal amount not to exceed Eight Million Seven Hundred Thousand Dollars (\$8,700,000); and

WHEREAS, the Indianapolis Economic Development Commission conducted a public hearing on February 21, 1996 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and adopted a resolution on March 4, 1996, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens based upon representations made by the Company, including that the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the project and its viability as a qualified housing project throughout the credit period for the Project and that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the Indiana Housing Finance Authority's (the "IHFA") qualified allocation plan; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of March 1, 1996 by and between the Issuer and Dai-ichi Kangyo Trust Company of New York and NBD Bank, as Co.-Trustees collectively (the "Trustee"), in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of March 1, 1996, between the Issuer and the Company for the purpose of financing or providing reimbursement for a portion of the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effort or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Land Use Restriction Agreement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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



SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Eight Million Seven Hundred Thousand Dollars (\$8,700,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest determined as set forth in the Indenture.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other documents which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. The Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company following receipt of supporting materials submitted by the Company to the IHFA and either written representations of the Company or of the IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the Purchasers thereof and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.



March 18, 1996

PROPOSAL NO. 203, 1996. Councillor Borst reported that the Economic Development Committee heard Proposal No. 203, 1996 on March 13, 1996. The proposal is a special resolution for U.S., LLC to proceed with the construction and equipping of a 44,460 square foot building located on 7 acres of land at the northwest corner of Belmont and Turner for lease to EHOB, Inc. for use in its orthopedic, prosthetic, and surgical appliances and supplies manufacturing business (District 17). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Golc explained the meaning behind the company name and stated that the neighborhoods were in favor of this proposal.

Councillor Borst moved, seconded by Councillor Golc, for adoption. Proposal No. 203, 1996 was adopted on the following roll call vote; viz:

25 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford  
0 NAYS:  
3 NOT VOTING: Gilmer, Gray, Williams  
1 ABSENT: Schneider

Proposal No. 203, 1996 was retitled SPECIAL RESOLUTION NO. 20, 1996 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1996

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, U.S., LLC, an Indiana limited liability company (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 construction of approximately a 44,460 square foot building located at the northwest corner of Belmont and Turner, Indianapolis, Indiana, the acquisition and installation of certain machinery and equipment therein to be leased by the Applicant to EHOB, Inc. for use in its orthopedic, prosthetic and surgical appliances and supplies manufacturing business (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (thirty (30) jobs) and the creation of business opportunities to be achieved by the acquisition and installation 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, the acquisition and installation 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:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment 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 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 One Million Eight Hundred Thousand Dollars (\$1,800,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition and installation 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 construction, acquisition and installation 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 and installation 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 October 31, 1996, 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 and installation 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 (T 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. 236-244, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 8, 1996." The Clerk did not schedule Proposal Nos. 236-244, 1996 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 236-244, 1996 were retitled REZONING ORDINANCE NOS. 62-70, 1996 and are identified as follows:

REZONING ORDINANCE NO. 62, 1996. 96-Z-56A  
5451 NORTH FRANKLIN ROAD (approximate address), CITY OF LAWRENCE.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5.



March 18, 1996

FORT HARRISON REUSE COMMITTEE, by Thomas Michael Quinn, requests a rezoning of 60.45 acres, being in the SU-9 District, to the D-7 classification to provide for residential development.

REZONING ORDINANCE NO. 63, 1996. 96-Z-56B  
5801 and 5802 LEE ROAD (approximate address), CITY OF LAWRENCE.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5.  
FORT HARRISON REUSE COMMITTEE, by Thomas Michael Quinn, requests a rezoning of 22.64 acres, being in the SU-9 District, to the D-8 classification to provide for residential development.

REZONING ORDINANCE NO. 64, 1996. 95-Z-229  
6202 SOUTH MENDENHALL ROAD (approximate address), INDIANAPOLIS.  
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.  
DAVID & JUDY ALLEN, by Raymond Good, requests the rezoning of 12.73 acres, being in the D-3(FF) District, to the D-1(FF) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 65, 1996. 96-Z-15  
2942-2978 NORTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10.  
SEAN MURRAY requests a rezoning of 1.2 acres, being in the D-5 and C-3 Districts, to the SU-9 classification to provide for the construction of a fire station.

REZONING ORDINANCE NO. 66, 1996. 96-Z-21  
1301-1458 GOODLET AVENUE (approximate address), INDIANAPOLIS.  
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16.  
FRIENDSHIP MISSIONARY BAPTIST CHURCH, by Stephen D. Mears, requests a rezoning of 4.54 acres, being in the D-5 District, to the SU-1 classification to provide for construction of a church.

REZONING ORDINANCE NO. 67, 1996. 96-Z-22  
3740-3742 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11.  
MARIE and WILLIE R. OWENS request a rezoning of 0.280 acre, being in the D-5 District, to the C-3 classification to provide for neighborhood commercial development.

REZONING ORDINANCE NO. 68, 1996. 96-Z-23  
1150 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT #12.  
DAVE MASON AUTOMOTIVE, by Michael J. Kias, requests a rezoning of 6.02 acres, being in the C-4 and C-5 Districts, to the C-5 classification to provide for commercial development including the continued operation of an automobile sales facility.

REZONING ORDINANCE NO. 69, 1996. 96-Z-24  
7802 NORTH SHADELAND AVENUE (rear) (approximate address), INDIANAPOLIS.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4  
EDWARD B. MORRIS ASSOCIATES, INC., by Thomas Michael Quinn, request a rezoning of 2.004 acres, being in the HD-2 District, to the C-1 classification to provide for commercial development.

REZONING ORDINANCE NO. 70, 1996. 96-Z-27  
7992 COMBS ROAD (approximate address), INDIANAPOLIS.  
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.  
CROSSMANN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests a rezoning of 15 acres, being in the D-A District, to the D-3 classification to provide for residential development.

PROPOSAL NO. 245, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 14, 1996." The Clerk did not schedule Proposal No. 245, 1996 for hearing pursuant to IC 36-7-4-608. Proposal No. 245, 1996 was retitled REZONING ORDINANCE NO. 71, 1996 and is identified as follows:

REZONING ORDINANCE NO. 71, 1996. 95-Z-210 (Amended)  
8487 UNION CHAPEL ROAD a/k/a 3751 WEST 82ND STREET (approximate address), INDIANAPOLIS.



WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7.  
THE SKINNER & BROADBENT DEVELOPMENT COMPANY, INC., by Philip A. Nicely, requests the rezoning of 19.285 acres, being in the D-A District, to the C-4 classification to provide for retail commercial development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 202, 1996. Councillor Borst reported that the Economic Development Committee heard Proposal No. 202, 1996 on March 13, 1996. The proposal authorizes the issuance of economic development bonds in an amount not to exceed \$2,050,000 for Double D Press, Inc. at 5739 Professional Circle (District 19). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Golc stated that he had visited the Double D Press operation and was impressed with the facilities and operation. The President asked what type of printing operation Double D performed. Dennis Stevenson, President of Double D Press, explained that his company did commercial offset printing.

The President called for public testimony at 7:53 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Golc, for adoption. Proposal No. 202, 1996 was adopted on the following roll call vote; viz:

*28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*0 NOT VOTING:*

*1 ABSENT: Schneider*

Proposal No. 202, 1996 was retitled SPECIAL ORDINANCE NO. 4, 1996 and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1996**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 (Double D Press, Inc. Project), in the aggregate principal amount not to exceed Two Million Fifty Thousand Dollars (\$2,050,000) (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a bond purchase agreement between an issuer and a bondholder; and

WHEREAS, a representative of Double D Press, Inc. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition of a new printing press consisting of a Komari Lithrone L-628-III Series 30, six color sheet fed press with multiple accessories, to be used in the Company's commercial printing business, located at 5739 Professional Circle, Indianapolis, Indiana (the "Project"); and

March 18, 1996

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 (Double D Press, Inc. Project), in the aggregate principal amount not to exceed Two Million Fifty Thousand Dollars (\$2,050,000) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 14, 1996 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the City-County Council has at this meeting conducted a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Bond Purchase and Loan Agreement (the "Loan Agreement") dated March \_\_, 1996 by and among the Issuer, the Company and First of America Bank-Indiana, as original purchaser (the "Purchaser") in order to obtain funds to lend to the Company pursuant to the Loan Agreement for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final form of the Loan Agreement and the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Two Million Fifty Thousand Dollars (\$2,050,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the costs of the Project, which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Documents to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Purchaser at a price not less than one hundred percent (100%) of the aggregate principal amount thereof,



plus accrued interest, if any, and at a stated per annum rate of interest determined as set forth in the Loan Agreement.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents, requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. The City of Indianapolis, Indiana hereby elects to issue the Bonds pursuant to the \$10,000,000 small issue exemption set out in Section 144(a)(4) of the Internal Revenue Code of 1986.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 12, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 12, 1996 on several occasions. The proposal is an appropriation of \$75,916 for the Marion County Justice Agency to fund the I-Challenge office budget financed by revenues from the Drug Free Community Fund. Councillor Dowden asked that the proposal be returned to the Committee due to new developments. The President asked when the Council could expect to vote on Proposal No. 12, 1996. Councillor Dowden responded that the committee would have a recommendation by the April 8th Council meeting. Proposal No. 12, 1996 was postponed until April 8, 1996 and returned to the Public Safety and Criminal Justice Committee by a unanimous voice vote.

PROPOSAL NO. 60, 1996. The proposal is an appropriation of \$232,688 for Community Corrections to continue the Jail Work Program financed by revenues in the County General Fund, Jail Reserve Account. PROPOSAL NO. 61, 1996. The proposal is an appropriation of \$84,375 for Community Corrections to pay for five additional Annex officers to facilitate receipt of additional offenders financed by revenues in the County General Fund, Jail Reserve Account. Councillor Dowden moved, seconded by Councillor Curry, to postpone Proposal Nos. 60 and 61, 1996 until April 8, 1996. Proposal Nos. 60 and 61, 1996 were postponed by a unanimous voice vote.

PROPOSAL NO. 124, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 124, 1996 on February 28, 1996. The proposal is an appropriation of \$175,000 to finance the upgrade of technology for the newly consolidated Adult Probation Division of the Marion County Superior Court financed by revenues in the Supplemental Adult Probation User Fees Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 124, 1996 was adopted on the following roll call vote; viz:

- 27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Talley, Tilford, Williams
- 0 NAYS:
- 1 NOT VOTING: Short
- 1 ABSENT: Schneider

Proposal No. 124, 1996 was retitled FISCAL ORDINANCE NO. 14, 1996 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional One Hundred Seventy-five Thousand Dollars (\$175,000) in the Adult Probation User Fees Fund for purposes of the Marion County Superior Court, Adult Probation Division and reducing the unappropriated and unencumbered balance in the Supplement Adult Probation User Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(cc) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Adult Probation Division to finance upgrade of technology for the newly consolidated Adult Probation Division.

SECTION 2. The sum of One Hundred Seventy-five Thousand Dollars (\$175,000) 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>MARION COUNTY SUPERIOR COURT</u><br><u>ADULT PROBATION DIVISION</u> | <u>SUPPLEMENTAL ADULT</u><br><u>PROBATION USER FEES FUND</u> |
|--|--|
| 2. Supplies  | 25,000   |
| 3. Other Services and Charges  | 25,000   |
| 4. Capital Outlay  | <u>125,000</u>   |
| TOTAL INCREASE   | 175,000  |

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

|   | <u>SUPPLEMENTAL ADULT</u><br><u>PROBATION USER FEES FUND</u> |
|---|--|
| Unappropriated and Unencumbered             |  |
| Supplemental Adult Probation Users Fee Fund | <u>175,000</u>   |
| TOTAL REDUCTION                             | 175,000  |

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

PROPOSAL NO. 159, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 159, 1996 on February 26, 1996. The proposal approves the issuance of Promissory Notes in connection with a HUD Section 108 guaranteed loan in the amount of \$3,200,000 to finance the development of the 10th Street Revitalization Project and the New East Industrial Center by Eastside Community Investments (ECI). Councillor Hinkle

provided statistics from ECI President, Dennis West, regarding how many jobs and how much training these projects would generate. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Williams, for adoption. Proposal No. 159, 1996 was adopted on the following roll call vote; viz:

*26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*

*1 NAY: Gilmer*

*1 NOT VOTING: Talley*

*1 ABSENT: Schneider*

Proposal No. 159, 1996 was retitled GENERAL RESOLUTION NO. 2, 1996 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 1996

A GENERAL RESOLUTION approving the issuance by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, of Promissory Notes in an amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000.00) for the purpose of loaning the proceeds to Eastside Community Investments ("ECI") to accomplish the development of the 10th Street Revitalization Project and the New East Industrial Center and approving a Contract for Loan Guarantee Assistance ("Loan Guaranty Contract") between the City and the Secretary of Housing and Urban Development under Section 108 of the Housing and Community Development Act of 1974, as amended, in connection with the issuance of such Promissory Notes.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana ("Commission") has adopted Resolution No. 96-F-001 (the "Resolution"), authorizing the issuance of Promissory Notes of the City of Indianapolis, Department of Metropolitan Development, in an amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000.00) (the "Notes"); and

WHEREAS, the Notes will be repaid from the following sources, which will be the collateral for the loan and will be pledged as security for repayment:

(a) All allocations or grants which have been made or for which the City may become eligible under Section 106 of Title I, as well as any grants which are or may become available to the City pursuant to Section 108(q) of Title I.

(b) "Program Income," as defined at 24 CFR 570.500(a) (or any successor regulation), which is generated from the above described grant funds.

(c) First Mortgages on the real estate upon which the 10th Street Revitalization Project and the New East Industrial Center will be developed and located.

(d) All proceeds (including insurance and condemnation proceeds) from Pledged Grants or Section 108 Program Income, and to the extent required from other Program Income.

(e) All funds or investments in any accounts established pursuant to the Loan Guarantee Contract.

WHEREAS, the proceeds of the Promissory Notes will be applied to the costs of the 10th Street Revitalization Project and the New East Industrial Center, all as set forth in the Resolution and shall be expended only on costs for which such funds may be expended under Section 108 of the Act and regulations adopted pursuant thereto; now, therefore:



March 18, 1996

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

SECTION 1. The City-County Council hereby approves Resolution No. 96-F-001, adopted by the Commission and the issuance of the Promissory Notes in an amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000.00) authorized therein.

SECTION 2. The City-County Council hereby designates the Commission as a public agency under Section 108 of the Act authorized to issue the obligations referred to in Section 108 and to enter into the Loan Guarantee Contract, and the Council hereby approves the Loan Guarantee Contract and any other documents required to be executed by the City or the Commission in connection with the Section 108 Loan Guarantee Program.

SECTION 3. The City-County Council hereby irrevocably pledges to the timely and punctual payment of the principal of an interest on the Notes: (a) All allocations or grants which have been made or for which the City may become eligible under Section 106 of Title I, as well as any grants which are or may become available to the City pursuant to Section 108(q) of Title I; (b) "Program Income," as defined at 24 CFR 570.500(a) (or any successor regulation), which is generated from the above described grant funds; (c) First Mortgages on the real estate upon which the 10th Street Revitalization Project and the New East Industrial Center will be developed and located; (d) All proceeds (including insurance and condemnation proceeds) from Pledged Grants or Section 108 Program Income, and to the extent required from other Program Income; and (e) All funds or investments in any accounts established pursuant to the Loan Guarantee Contract.

SECTION 4. The proceeds from the sale of the Notes in an amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000.00) are hereby appropriated in the Federal Non-Reverting Fund for the Projects described herein for the life of those Projects.

SECTION 5. This Resolution shall be effective upon compliance with IC 36-3-4-14.

PROPOSAL NO. 164, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 164, 1996 on February 28, 1996. The proposal is an appropriation of \$12,500 for the Prosecuting Attorney to pay Marion County's portion of a victim/witness advocate to work on Regional Gang Interdiction in conjunction with Johnson County financed by a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 164, 1996 was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*

0 NAYS:

3 NOT VOTING: *Black, Coughenour, Talley*

1 ABSENT: *Schneider*

Proposal No. 164, 1996 was retitled FISCAL ORDINANCE NO. 15, 1996 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995 appropriating an additional Twelve Thousand Five Hundred Dollars (\$12,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) and (b) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to provide for Marion County's portion of a Victim/Witness Advocate to work on Regional Gang Interdiction in conjunction with the Johnson County Prosecutor.

SECTION 2. The sum of Twelve Thousand Five Hundred Dollars (\$12,500) 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>PROSECUTING ATTORNEY</u>    | <u>STATE AND FEDERAL GRANTS FUND</u> |
|--------------------------------|--------------------------------------|
| 1. Personal Services           | 10,000                               |
| <br>                           |                                      |
| <u>COUNTY AUDITOR</u>          |                                      |
| 1. Personal Services - fringes | 2,500                                |
| TOTAL INCREASE                 | 12,500                               |

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

|                                 | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered |                                      |
| State and Federal Grants        | 12,500                               |
| TOTAL REDUCTION                 | 12,500                               |

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. 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. 123, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 123, 1996 on February 27, 1996. The proposal adds 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Smith explained the boundary areas and requested the support of the Council. Councillor Short also voiced his support and urged passage of Proposal No. 123, 1996.

Councillor Hinkle moved, seconded by Councillor Smith, for adoption. Proposal No. 123, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams  
0 NAYS:  
1 ABSENT: Schneider



Proposal No. 123, 1996 was retitled GENERAL ORDINANCE NO. 36, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 1996

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to add Consortium Foundation, Inc. and Redevelopment/Revitalization of the Southside Community as eligible neighborhood development corporations for sales and grants of real property under IC 26-15.1-15.1 and IC 36-7-15.1-22.5(e)(3).

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

SECTION 1. Chapter 2, Article 8 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the underlined text to read as follows:

Sec. 2-515.5. Determination of eligibility of neighborhood development corporations and nonprofit corporations for sales and grants of real property under IC 36-7-15.1-15.1 and IC 36-7-22.5(e)(3).

(a) When disposing of real property by sale or grant under IC 36-7-15.1-15.1 or IC 36-7-15.1-22.5(e)(3) the Metropolitan Development Commission shall only sell or grant to a nonprofit corporation or neighborhood development corporation, meeting the following criteria:

- (1) it shall have as a major corporate purpose and function, the provision of housing for low or moderate income families within the geographic area in which the parcel of property is located;
- (2) it shall have been established for at least one year; and
- (3) it shall have agreed to comply with the terms of a "project development agreement" in the form determined by the Metropolitan Development Commission, which shall require among other terms, that prior to the transfer of title to the real estate to it:
  - (A) all affected, registered neighborhood associations will have been notified and either agreed to the project or have been granted the opportunity for hearing before the Commission, and
  - (B) an acceptable and feasible financial plan for the intended redevelopment has been presented to and approved by the director or the director's designee.

(b) The City-County Council of the City of Indianapolis and of Marion County, Indiana, determines that, so long as they operate in compliance with the criteria in subsection (a), the following nonprofit corporations and neighborhood development corporations meet the criteria establishment herein:

- (1) Business Opportunity Systems Community Development Corporation
- (2) Community Action of Greater Indianapolis
- (3) Concord Community Development Corporation
- (4) Eastside Community Investments, Inc.
- (5) Indianapolis Neighborhood Housing Partnership
- (6) King Park Area Development Corporation
- (7) Mapleton-Fall Creek Housing Development Corporation
- (8) Martindale-Brightwood Community Development Corporation
- (9) Martin Luther King Community Development Corporation
- (10) Meridian Kessler Development Corporation
- (11) Near North Development Corporation
- (12) Riley Area Revitalization Program
- (13) Southeast Neighborhood Development, Inc.
- (14) United Northwest Area Development Corporation
- (15) West Indianapolis Development Corporation
- (16) Westside Community Development Corporation
- (17) Williams, Howard, Wright, Inc.
- (18) Habitat for Humanity
- (19) Historic Landmarks Foundation, Inc.

(20) Consortium Foundation, Inc.

(21) Redevelopment/Revitalization of the Southside Community

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

Councillor Franklin reported that the Community Affairs Committee heard Proposal Nos. 155 and 158, 1996 on March 13, 1996. By 4-3 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 155, 1996. The proposal amends the Revised Code dealing with the Office of Youth and Family Services. Councillor Franklin explained that Deputy Mayor Irma Neal had explained to the Committee that the services currently performed by the Office of Youth and Family Services (OYFS) could be provided more efficiently and with less paperwork through consolidation. He stated that OYFS currently employs seven people and leases a space for \$60,000 a year. Councillor Franklin added that the consolidation would allow four of the OYFS personnel to go to the Department of Parks and Recreation, two to go to the Department of Metropolitan Development, and one to be transferred to the Department of Economic Opportunity to oversee the Commission on African American Males. He emphasized that the current personnel would continue to serve in their respective functions, simply in a different setting, which would save the taxpayers approximately \$60,000 a year.

Councillor Williams stated that she had just returned from the National League of Cities meeting in Washington, D.C. where an emphasis had been placed on issues regarding youth and family in urban areas. She added that she was in opposition of eliminating OYFS and urged the Council to instead re-focus the function of this office.

Councillor Coughenour stated that the only change the proposal would make would be to save \$60,000 worth of floor space. She added that all OYFS personnel would continue to do the exact same job duties they are currently performing. Councillor Coughenour stated that the mission created by OYFS would still be in place and be acted upon.

Councillor Franklin added that he agreed with Councillor Williams' views that the City is still in great need of these job functions. He explained that currently the OYFS staff were primarily functioning as contract monitors. The OYFS office was not the type of entity that Councillor Williams had described, but the Marion County Commission on Youth (McCOY) functions more in that type of capacity. He explained that the programs now in place by OYFS would continue to be in effect.

Councillor Golc asked if Deputy Mayor Neal could explain if there were any other efficiencies this proposal would provide other than saving taxpayers a rental payment of \$60,000. Deputy Mayor Neal stated that this consolidation would provide more efficiency with paperwork. This would happen primarily due to the fact that contract approvals and grants would not take as long to go through the system, since the OYFS personnel would be transferred to the appropriate departments from which approval and paperwork for their job functions were generated. She added that there would definitely be savings above the \$60,000.

Councillor O'Dell explained that the power of the OYFS was actually in the agencies whose contracts they monitored, not in the OYFS office itself. He stated that, as a sponsor, he was in full support of this proposal.



March 18, 1996

Councillor Franklin moved, seconded by Councillor Coughenour, for adoption. Proposal No. 155, 1996 was adopted on the following roll call vote; viz:

*19 YEAS: Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Tilford*

*9 NAYS: Black, Boyd, Brents, Golc, Gray, Jones, Short, Talley, Williams*

*1 ABSENT: Schneider*

Proposal No. 155, 1996 was retitled GENERAL ORDINANCE NO. 37, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1996

A GENERAL ORDINANCE amending Chapter 202 of the Code dealing with the Office of Youth and Family Services.

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

SECTION 1. Chapter 202 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by deleting the language crosshatched to read as follows:

~~CHAPTER 202~~

~~ARTICLE IV. OFFICE OF YOUTH AND FAMILY SERVICES~~

~~Sec. 202-301. — Established.~~

~~There is hereby established as part of the mayor's office an office of youth and family services.~~

~~Sec. 202-302. — Director.~~

~~The director of the office of youth and family services shall be appointed by and serve at the pleasure of the mayor. The director shall be responsible to the deputy mayor for neighborhoods for the functions of the office.~~

~~Sec. 202-303. — Duties of the director.~~

~~The director shall:~~

- ~~(1) Supervise and coordinate the activities of the office;~~
- ~~(2) Oversee the daily operations of the office;~~
- ~~(3) Prepare and submit the office's budget to the controller;~~
- ~~(4) Approve the hiring and dismissal of the personnel of the office subject to the limitations prescribed by law and rules adopted by the mayor;~~
- ~~(5) Manage the personnel of the office;~~
- ~~(6) Delegate to the personnel of the office authority to act on the director's behalf;~~
- ~~(7) Execute contracts subject to the authority of the city-county administrative board, the mayor and any other limitations prescribed by law; and~~
- ~~(8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.~~

~~Section 202-304. Powers of office of youth and family services.~~

~~The office of youth and family services shall:~~

- ~~(1) Administer and, subject to the approval of the director, contract for the administration of federal, state and locally funded programs including, but not limited to:
  - ~~(a) Programs for youth;~~
  - ~~(b) Neighborhood health programs;~~
  - ~~(c) Programs for senior citizens;~~
  - ~~(d) Neighborhood centers;~~
  - ~~(e) Homeless shelters;~~
  - ~~(f) Other appropriate social service programs.~~~~
- ~~(2) Exercise any other powers and duties which may be granted by statute or ordinance or delegated by the mayor.~~

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

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 158, 1996. The proposal is an appropriation of \$2,381,964 to allocate the 1996 budget for the Office of Youth and Family Services to other City departments. Councillor Franklin explained that this proposal is a companion proposal to Proposal No. 155, 1996 and that it simply allows the OYFS budget to be re-allocated to those same departments to which the OYFS personnel would be transferred. Councillor Franklin moved, seconded by Councillor Gilmer, for adoption. Proposal No. 158, 1996 was adopted on the following roll call vote; viz:

*19 YEAS: Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Tilford*  
*9 NAYS: Black, Boyd, Brents, Golc, Gray, Jones, Short, Talley, Williams*  
*1 ABSENT: Schneider*

Proposal No. 158, 1996 was retitled FISCAL ORDINANCE NO. 16, 1996 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Thirty-six Thousand Eight Hundred Seventy-nine Dollars (\$36,879) in the Consolidated County Fund for the purposes of the Department of Administration, Equal Opportunity Division, Six Hundred Thirty-six Thousand Three Hundred Sixty-four



March 18, 1996

Dollars (\$636,364) in the Consolidated County Fund and One Million Two Hundred Fifty-four Thousand Eight Hundred Ninety-two Dollars (\$1,254,892) in the Federal Grants Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and Three Hundred Thirty-one Thousand Eight Hundred Thirty-two Dollars (\$331,832) in the Park General Fund and One Hundred Twenty-one Thousand Nine Hundred Ninety-seven Dollars (\$121,997) in the Federal Grants Fund for the purposes of the Department of Parks and Recreation and reducing certain other appropriations for the Office of Youth and Family Services.

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 (I), (j), (k) and (o) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the transferring the responsibilities of the Office of Youth and Family Services to other City Departments.

SECTION 2. The sum of Two Million Three Hundred Eight-one Thousand Nine Hundred Sixty-four Dollars (\$2,381,964) 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:

DEPARTMENT OF ADMINISTRATION

EQUAL OPPORTUNITY DIVISION

CONSOLIDATED COUNTY FUND

|                      |            |
|----------------------|------------|
| 1. Personal Services | 36,379     |
| 2. Supplies          | <u>500</u> |
| TOTAL INCREASE       | 36,879     |

DEPARTMENT OF METROPOLITAN DEVELOPMENT

NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION

CONSOLIDATED COUNTY FUND

|                               |              |
|-------------------------------|--------------|
| 1. Personal Services          | 64,332       |
| 2. Supplies                   | 2,000        |
| 3. Other Services and Charges | 564,377      |
| 4. Capital Outlay             | 3,829        |
| 5. Internal Charges           | <u>1,826</u> |
| TOTAL INCREASE                | 636,364      |

NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION

FEDERAL GRANTS FUND

|                               |                  |
|-------------------------------|------------------|
| 1. Personal Services          | 17,350           |
| 3. Other Services and Charges | <u>1,237,542</u> |
| TOTAL INCREASE                | 1,254,892        |

DEPARTMENT OF PARKS AND RECREATION

PARK GENERAL FUND

|                               |              |
|-------------------------------|--------------|
| 1. Personal Services          | 206,143      |
| 2. Supplies                   | 5,000        |
| 3. Other Services and Charges | 104,352      |
| 4. Capital Outlay             | 9,571        |
| 5. Internal Charges           | <u>6,766</u> |
| TOTAL INCREASE                | 331,832      |

DEPARTMENT OF PARKS AND RECREATION

FEDERAL GRANTS FUND

|                               |                |
|-------------------------------|----------------|
| 1. Personal Services          | 13,912         |
| 3. Other Services and Charges | <u>108,085</u> |
| TOTAL INCREASE                | 121,997        |

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

| <u>OFFICE OF YOUTH AND FAMILY SERVICES</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|--|---------------------------------|
| 1. Personal Services                       | 306,860                         |
| 2. Supplies                                | 7,500                           |
| 3. Other Services and Charges              | 668,729                         |
| 4. Capital Outlay                          | 13,400                          |
| 5. Internal Charges                        | <u>8,592</u>                    |
| TOTAL DECREASE                             | 1,005,081                       |

| <u>OFFICE OF YOUTH AND FAMILY SERVICES</u> | <u>FEDERAL GRANTS FUND</u> |
|--|----------------------------|
| 1 Personal Services                        | 47,355                     |
| 3. Other Services and Charges              | <u>1,329,528</u>           |
| TOTAL DECREASE                             | 1,376,883                  |

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

PROPOSAL NO. 157, 1996. Councillor Borst reported that the Economic Development Committee heard Proposal No. 157, 1996 on March 7, 1996. The proposal is an appropriation of \$100,000 for the Office of the Controller to make renovations and improvements to the City Market financed by a transfer within the agency's Consolidated County Fund. Councillor Borst explained that the appropriation was not for operating expenses, but for capital expenditures on renovations to the restrooms, lighting in the east and west wings, and the replacement of heating ducts in the office due to excessive bacteria located there. He added that Kosene and Kosene, current managers, were dedicated to making the City Market profitable, and that they had already leveraged quite a bit of private money into this project. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Williams, for adoption. Proposal No. 157, 1996 was adopted on the following roll call vote; viz:

25 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams  
2 NAYS: Coonrod, Franklin  
1 NOT VOTING: Black  
1 ABSENT: Schneider

The President stated that the future of the City Market would rely heavily on what would happen with Market Square Arena. He explained that a task force recommendation was expected early in the summer and that a solution for both Market Square Arena and the City Market would be forthcoming based upon that recommendation.

Proposal No. 157, 1996 was retitled FISCAL ORDINANCE NO. 17, 1996 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Consolidated County Fund for purposes of the Office of the Controller 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 1.01(g) of the City-County Annual Budget for 1996 be, and is hereby, amended by



March 18, 1996

the increases and reductions hereinafter stated for purposes of the Office of the Controller of making renovations and improvements to the City Market.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>OFFICE OF THE CONTROLLER</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|---------------------------------|---------------------------------|
| 4. Capital Outlays              | <u>100,000</u>                  |
| TOTAL INCREASE                  | 100,000                         |

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

| <u>OFFICE OF THE CONTROLLER</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|---------------------------------|---------------------------------|
| 3. Other Services and Charges   | <u>100,000</u>                  |
| TOTAL DECREASE                  | 100,000                         |

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

PROPOSAL NO. 160, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 160, 1996 on February 27, 1996. The proposal is an appropriation of \$3,340 for the County Surveyor to pay for a unified vertical control network for Marion County financed by transfers within the agency's Surveyor's Corner Perpetuation Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Boyd, for adoption. Proposal No. 160, 1996 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*

0 NAYS:

2 NOT VOTING: *Black, Williams*

1 ABSENT: *Schneider*

Proposal No. 160, 1996 was retitled FISCAL ORDINANCE NO. 18, 1996 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Three Thousand Three Hundred Forty Dollars (\$3,340) in the Surveyor's Corner Perpetuation Fund for purposes of the County Surveyor 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(j) of the City-County Annual Budget for 1996, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Surveyor to establish a unified vertical control network for Marion County.

SECTION 2. The sum of Three Thousand Three Hundred Forty Dollars (\$3,340) 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 SURVEYOR</u> | <u>SURVEYOR'S CORNER PERPETUATION FUND</u> |
|------------------------|--|
| 2. Supplies            | <u>3,340</u>                               |
| TOTAL INCREASE         | 3,340                                      |

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

| <u>COUNTY SURVEYOR</u> | <u>SURVEYOR'S CORNER PERPETUATION FUND</u> |
|------------------------|--|
| 4. Capital Outlay      | <u>3,340</u>                               |
| TOTAL DECREASE         | 3,340                                      |

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

PROPOSAL NO. 162, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 162, 1996 on February 28, 1996. The proposal authorizes the Sheriff's Department to collect a copayment from incarcerated persons for the costs of their medical care, \$6 per doctor visit and \$3 per prescription. Councillor Dowden explained that if inmates had money in their commissary fund, they would be asked to co-pay for medical visits. They would not be denied medical attention if funds were not available. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Golc asked if these fees would apply to pre-existing conditions. Councillor Dowden stated that these fees would be imposed in order to limit medical visits to those that were actually necessary, and explained that many inmates abused these privileges with unnecessary doctor visits to get out of their cells. He added that those needing medical attention who did not have the funds would still be taken care of and that it did not apply to pre-existing conditions. Councillor Dowden stated that this proposal could possibly save the taxpayers up to \$200,000 a year by eliminating unnecessary visits and adding co-payments.

Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 162, 1996 was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*  
3 NAYS: *Boyd, Brents, Jones*  
2 NOT VOTING: *Black, Williams*  
1 ABSENT: *Schneider*

Proposal No. 162, 1996 was retitled GENERAL ORDINANCE NO. 38, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1996

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adding a new Sec. 131-252.

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

SECTION 1. Chapter 131 of the Revised Code of the Consolidated City and County is hereby amended by adding the language underlined as follows:



March 18, 1996

Sec. 131-252. Health care copayments by incarcerated persons.

(a) This section does not apply to a person confined in an incarceration facility operated by or through the Marion County Sheriff who:

(1) Maintains a policy of insurance from a private company covering:

- a. Medical care;
- b. Dental care;
- c. Eye care; or
- d. Any other health care related service; or

(2) Is willing to pay for the person's own medical care.

(b) Except as provided in subsection (c), a person confined in an incarceration facility operated by or through the Marion County Sheriff shall make the following copayments for each provision of the following services:

- (1) For medical, dental, and eye care, and any other health-care related service except a prescription, the copayment shall be six dollars (\$6.00);
- (2) For each prescription, the copayment shall be three dollars (\$3.00).

(c) A person confined in an incarceration facility operated by or through the Marion County Sheriff is not required to make the copayment under subsection (b) if:

- (1) The person does not have funds in the person's commissary account or trust account at the time the service is provided;
- (2) The person does not have funds in the person's commissary account or trust account within thirty (30) days after the service is provided;
- (3) The service is provided in an emergency;
- (4) The service is provided as a result of an injury received in the incarceration facility; or
- (5) The service is provided at the request of the Sheriff's Department or administrator of the incarceration facility.

(d) The Marion County Sheriff's Department, Jail Division, shall forward the copayments monthly to the Marion County Auditor for deposit into the County General Fund.

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

PROPOSAL NO. 163, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 163, 1996 on February 28, 1996. The proposal approves a public purpose grant to Fire Fighters Museum/Survive Alive in the amount of \$10,000 for the purpose of a Fallen Firefighters Memorial. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 163, 1996 was adopted on the following roll call vote; viz:

24 YEAS: *Black, Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Shambaugh, Short, Smith, Talley, Tilford, Williams*  
0 NAYS:

*4 NOT VOTING: Brents, Gilmer, Gray, SerVaas*

*1 ABSENT: Schneider*

Proposal No. 163, 1996 was retitled SPECIAL RESOLUTION NO. 21, 1996 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1996

A SPECIAL RESOLUTION approving a public purpose grant to Fire Fighters Museum/Survive Alive in the amount of \$10,000 for the purpose of a Fallen Firefighters Memorial.

WHEREAS, the Indianapolis Fire Department was organized in 1858; and

WHEREAS, since that time, seventy-one firefighters from the Indianapolis, Lawrence and Wayne Township fire departments in Marion County have lost their lives in the line of duty; and

WHEREAS, the city's largest single fire disaster was in March, 1891, when thirteen firefighters lost their lives, and a stunned Indianapolis mourned for days; and

WHEREAS, the names of all fallen firefighters will be memorialized on the \$265,000 Fallen Firefighters Memorial; and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City-County Council, and the Grant was appropriated by City County Fiscal Ordinance No. 86, 1995, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 86, 1995, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

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

SECTION 1. The Grant by the City Controller in the amount of \$10,000 to Fire Fighters Museum/Survive Alive for the Fallen Firefighters Memorial is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

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

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 167-177, 1996 on March 3, 1996.

PROPOSAL NO. 167, 1996. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal at River Crossing Boulevard and River Road (District 3). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 167, 1996 was adopted on the following roll call vote; viz:

*27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*  
*0 NAYS:*



March 18, 1996

1 NOT VOTING: Franklin

1 ABSENT: Schneider

Proposal No. 167, 1996 was retitled GENERAL ORDINANCE NO. 39, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1996

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 addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>              | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|----------------------------------|---------------------|------------------------|
| 4               | River Crossing Blvd,<br>River Rd | None                | Signal                 |

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

PROPOSAL NO. 168, 1996. The proposal, sponsored by Councillor Coonrod, authorizes a traffic signal at Sargent Road and 82nd Street (District 5). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 168, 1996 was adopted on the following roll call vote; viz:

25 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

3 NOT VOTING: Franklin, Gilmer, Moores

1 ABSENT: Schneider

Proposal No. 168, 1996 was retitled GENERAL ORDINANCE NO. 40, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1996

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> |
|-----------------|------------------------|---------------------|------------------------|
| 6               | Sargent Rd,<br>82nd St | None                | All Way 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> |
|-----------------|------------------------|---------------------|------------------------|
| 6               | Sargent Rd,<br>82nd St | None                | Signal                 |

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 169-175, 1996 together. Consent was given.

PROPOSAL NO. 169, 1996. The proposal, sponsored by Councillor Coonrod, authorizes multi-way stops for the intersections in Admirals Sound subdivision (District 5). PROPOSAL NO. 170, 1996. The proposal, sponsored by Councillor Dowden, authorizes a multi-way stop at 86th Street and Bash Street (District 4). PROPOSAL NO. 171, 1996. The proposal, sponsored by Councillor Cockrum, authorizes a multi-way stop at Mars Hill Street and Werges Street (District 19). PROPOSAL NO. 172, 1996. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 19th Street and Wallace Avenue (District 15). PROPOSAL NO. 173, 1996. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Robton Street and Rockville Avenue (District 17). PROPOSAL NO. 174, 1996. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Deloss Street and Leota Street (District 21). PROPOSAL NO. 175, 1996. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at Carrollton Avenue and 48th Street (District 6). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 169-175, 1996 were adopted on the following roll call vote; viz:

*27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*1 NOT VOTING: Franklin*

*1 ABSENT: Schneider*

Proposal No. 169, 1996 was retitled GENERAL ORDINANCE NO. 41, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1996

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:



March 18, 1996

| <u>BASE MAP</u> | <u>INTERSECTION</u>                              | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|--|---------------------|------------------------|
| 7               | Bay Breeze Ln,<br>Old Stone Dr                   | Old Stone Dr        | Stop                   |
| 7               | Bay Breeze Ct,<br>Bay Breeze Ln,<br>Woods Bay Ln | Woods Bay Ln        | 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> |
|-----------------|--|---------------------|------------------------|
| 7               | Bay Breeze Ln,<br>Old Stone Dr                   | None                | All Way Stop           |
| 7               | Bay Breeze Ct,<br>Bay Breeze Ln,<br>Woods Bay Ln | None                | All Way Stop           |

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

Proposal No. 170, 1996 was retitled GENERAL ORDINANCE NO. 42, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1996

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> |
|-----------------|---------------------|---------------------|------------------------|
| 6               | 86th St,<br>Bash St | 86th 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> |
|-----------------|---------------------|---------------------|------------------------|
| 6               | 86th St,<br>Bash St | None                | All Way Stop           |

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

Proposal No. 171, 1996 was retitled GENERAL ORDINANCE NO. 43, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1996

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> |
|-----------------|----------------------------|---------------------|------------------------|
| 37              | Mars Hill St,<br>Werges Av | Mars Hill 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> |
|-----------------|----------------------------|---------------------|------------------------|
| 37              | Mars Hill St,<br>Werges Av | None                | All Way Stop           |

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

Proposal No. 172, 1996 was retitled GENERAL ORDINANCE NO. 44, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1996

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> |
|-----------------|------------------------|---------------------|------------------------|
| 26              | 19th St,<br>Wallace Av | 19th 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> |
|-----------------|------------------------|---------------------|------------------------|
| 37              | 19th St,<br>Wallace Av | None                | All Way Stop           |

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



March 18, 1996

Proposal No. 173, 1996 was retitled GENERAL ORDINANCE NO. 45, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1996

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> |
|-----------------|----------------------------|---------------------|------------------------|
| 23              | Robton St,<br>Rockville Rd | Rockville Rd        | 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> |
|-----------------|----------------------------|---------------------|------------------------|
| 23              | Robton St,<br>Rockville Rd | None                | All Way Stop           |

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

Proposal No. 174, 1996 was retitled GENERAL ORDINANCE NO. 46, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1996

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> |
|-----------------|------------------------|---------------------|------------------------|
| 25              | Deloss St,<br>Leota St | Deloss 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> |
|-----------------|------------------------|---------------------|------------------------|
| 25              | Deloss St,<br>Leota St | None                | All Way Stop           |

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

Proposal No. 175, 1996 was retitled GENERAL ORDINANCE NO. 47, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, 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:

Hillside Avenue, on the west side,  
from Twenty-fifth Street to Baltimore Avenue

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

PROPOSAL NO. 176, 1996. The proposal, sponsored by Councillor Jones, authorizes parking restrictions on the westside of Hillside Avenue from 25th Street to Baltimore Avenue (District 10). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 176, 1996 was adopted on the following roll call vote; viz:

*27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*1 NOT VOTING: Franklin*

*1 ABSENT: Schneider*

Proposal No. 176, 1996 was retitled GENERAL ORDINANCE NO. 48, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, 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:

Hillside Avenue, on the west side,  
from Twenty-fifth Street to Baltimore Avenue

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



March 18, 1996

PROPOSAL NO. 177, 1996. The proposal, sponsored by Councillor Williams, authorizes parking restrictions on Alabama Street, both sides, south of St. Clair Street (District 22). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 177, 1996 was adopted on the following roll call vote; viz:

*27 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*1 NOT VOTING: Bradford*

*1 ABSENT: Schneider*

Proposal No. 177, 1996 was retitled GENERAL ORDINANCE NO. 49, 1996 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", 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. 29-268, 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:

Alabama Street, on the east side,  
from St. Clair Street to a point 86 feet south of St. Clair Street

Alabama Street, on the west side,  
from St. Clair Street to a point 131 feet south of St. Clair Street

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

**NEW BUSINESS**

Councillor Coughenour invited Council members to attend a community meeting discussing important issues in the schools and community, which is a part of a Cooperative Extension grant from Purdue University to Perry Township. The meetings are scheduled on April 17 and 30, 1996 at 7:00 p.m. at Southport High School.

Councillor Williams acknowledged and publicly congratulated Hardees Restaurant for their policy of refusing to serve school-age children during school hours.

The President passed the gavel to Vice President McClamroch.

PROPOSAL NO. 161, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 161, 1996 on February 27, 1996. The proposal is an appropriation of \$64,500 for the County Recorder to purchase an Optical Platter Jukebox Drive to support increased database volume financed by revenues in the Recorder's Perpetuation Fund.

By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Hinkle stated that Proposal No. 161, 1996 was the unintended victim of the 30-day rule. He asked if action could be taken on this proposal before the public hearing scheduled for April 8, 1996. Councillor Hinkle explained that there were delicate agreements which required this equipment in place in order to adhere to the timetable set.

Councillor Gilmer asked if the current meeting could serve as the public hearing for this proposal. The Vice President deferred to General Counsel Robert Elrod. Mr. Elrod explained that the statute on appropriations required a public hearing be held with a ten-day notice via advertising. As no advertising had been placed for this proposal (due to the 30-day rule requiring a waiting period of 30 days from introduction before public hearing), this evening's meeting could not serve as a public hearing for Proposal No. 161, 1996.

The Vice President returned the gavel to President SerVaas.

Councillor Hinkle explained that passage of this proposal would allow the Auditor's Office to proceed with initiatives to work with the Recorder in adhering to their timetable. He added that should the State Tax Board deny the passage because of the public hearing not taking place, the Council would simply have to vote on it again. Councillor Hinkle stated that passage of the proposal now would allow the Auditor and Recorder to work together to stay on track with current projects.

Councillor Hinkle moved, seconded by Councillor Williams, to vote on Proposal No. 161, 1996. The motion carried by a voice vote.

At the request of Councillor Borst, Councillor Hinkle explained the Optical Platter Jukebox Drive. He encouraged Council members to visit the Recorder's Office for a demonstration. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption of Proposal No. 161, 1996.

Councillor Coonrod stated that voting on Proposal No. 161, 1996 this evening was an illegal process and that the Tax Board would not approve such a vote. He explained that should the Council vote on this proposal now, the vote would be worthless. Councillor Coonrod stated that upon disapproval by the Tax Board, the proposal would require re-introduction, which would be more time consuming than waiting until the next meeting.

The President stated that Councillor Coonrod, as former Auditor, had experience in this matter and his observations brought about some concern.

Councillor Hinkle asked to hear from County Auditor John von Arx regarding the legalities of voting on Proposal No. 161, 1996 at this meeting. Mr. von Arx explained that should the Council vote on the matter now and conceptually approve of the plan, that would enable him to proceed with avenues in obtaining the appropriation through another agency and then receiving reimbursement once the public hearing aspect has been satisfied.

Councillor Coonrod stated that this would be an improper appropriation.



March 18, 1996

Councillor Short asked if waiting for the public hearing would cause significant problems. Councillor Hinkle explained that waiting would cause problems with a plan and schedule agreed upon a couple of months ago. Councillor Short stated that he was in favor of waiting to vote until the legal procedures had been satisfied.

Councillor Curry stated that voting now would seem counter-productive. He suggested that if the Auditor would be comfortable with the consensus of Council members that this proposal would pass, that he could proceed with negotiations and accommodate the timetable. Councillor Curry added that this would allow the Council to remain under the legal obligations of the 30-day rule, and still allow for the Recorder's Office to stay within their timetables. He stated that the 30-day rule should either be adhered to or revisited. Councillor Curry explained that proper planning would eliminate these crisis situations, which was the initial rationale behind the 30-day rule.

Councillor McClamroch agreed with Councillor Curry and stated that after having consulted with Mr. Elrod, Mr. von Arx, and County Recorder Joan Romeril, he had drafted a resolution to present to the Council that urges the Auditor to prepare for the appropriation as set forth in Proposal No. 161, 1996.

Councillors Hinkle and Gilmer withdrew their motion and second for adoption of Proposal No. 161, 1996.

Councillor McClamroch moved, seconded by Councillor Curry, to adopt a resolution to urge the Auditor to prepare for the appropriation. The motion carried by a unanimous voice vote.

Councillor Hinkle stated that a new proposal would be introduced at the next Council meeting to re-visit the 30-day rule.

PROPOSAL NO. 233, 1996. The proposal, sponsored by Councillor McClamroch, appoints Michael Duff to the Common Construction Wage Committee to determine common construction wages in the Police and Fire Special Service Districts. Councillor McClamroch stated that Mr. Duff is the owner of The Reimbursement Group, a telecommunications company based in Indianapolis which audits long-distance phone bills for various companies. He added that Mr. Duff was a 35-year-old African American and a Republican Precinct Committeeman whom he believed to be a solid representative for the Common Construction Wage Committee. Councillor McClamroch moved, seconded by Councillor Moores, for adoption. Proposal No. 233, 1996 was adopted on the following roll call vote; viz:

*21 YEAS: Black, Borst, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Tilford*  
*4 NAYS: Boyd, Gray, Talley, Williams*  
*3 NOT VOTING: Coonrod, Golc, Short*  
*1 ABSENT: Schneider*

Proposal No. 233, 1996 was retitled COUNCIL RESOLUTION NO. 33, 1996 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 1996

A COUNCIL RESOLUTION appointing Michael Duff to the Common Construction Wage Committee to determine common construction wages in the Police and Fire Special Service Districts.

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

SECTION 1. As a member of the Common Construction Wage Committee to determine common construction wages in the Police and Fire Special Service Districts, the Council appoints:

Michael Duff

SECTION 2. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**ANNOUNCEMENTS AND ADJOURNMENT**

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

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


- (1) Councillor Moriarty Adams in memory of Joseph Traub and Terry Sweeney; and
- (2) Councillor Cockrum in memory of Jean C. Mills.

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 Joseph Traub, Terry Sweeney, and Jean C. Mills. 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 families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:14 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 18th day of March, 1996.

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

  
President

  
Clerk of the Council

ATTEST:

(SEAL)