

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

**REGULAR MEETINGS
MONDAY, JULY 19, 1999**

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, July 19, 1999, with Councillor SerVaas presiding.

Councillor Boyd led the opening prayer and gave thanks for the life of Councillor Paul Jones, who passed away on July 10, 1999. He stated that Councillor Jones will be sorely missed and will be a great loss to this body. President SerVaas invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

21 PRESENT: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

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

The President stated that Councillor Borst is recovering from an accident that fractured his fifth vertebrae and asked Councillors to keep him in their prayers. Councillor Golc gave a brief tribute to Councillor Jones, reading from the children's book "The Little Prince," and explaining that Paul had a way of taming him and he will always remember all that they shared. The President stated that there will be a formal eulogy for Councillor Jones in the future, where the Council will have the opportunity to hear from the family and express their condolences.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer introduced Boy Scout Troop 269 and their troop leader, Douglas Alcott, from Pike Township.

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

You are hereby notified 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, July 19, 1999, 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

June 22, 1999

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:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, June 25, 1999, a copy of a Notice of Public Hearing on Proposal Nos. 362 and 400, 1999, said hearing to be held on Monday, July 19, 1999, at 7:00 p.m. in the City-County Building.

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

June 29, 1999

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:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Tuesday, July 6, 1999, a copy of a Legal Notice of General Ordinance Nos. 74 and 78, 1999.

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

July 12, 1999

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:

July 19, 1999

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, July 16, 1999, a copy of a Legal Notice of General Ordinance No. 77, 1999.

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

June 25, 1999

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 and resolutions:

FISCAL ORDINANCE NO. 64, 1999 - approves an increase of \$660,620 in the 1999 Budgets of County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to continue the Marion County Drug Treatment Diversion Program funded by the Local Law Enforcement Block Grant III

FISCAL ORDINANCE NO. 65, 1999 - approves an increase of \$44,000 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for increased police overtime to reduce open drug dealing and property crimes, to increase community involvement and police relationships in the Meridian-Kessler neighborhood, funded by a federal grant

FISCAL ORDINANCE NO. 66, 1999 - approves an increase of \$60,000 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to fund juvenile crime prevention programs in association with the Youth Services Unit and the Police Athletic League of Indianapolis, funded by a federal grant

FISCAL ORDINANCE NO. 67, 1999 - approves an increase of \$2,742,483 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase new police cars, to pay contractual programmers, and to award sub-grants to the Marion County Prosecutor, the Sheriff, Marion County Courts, and participating schools, financed by a grant from the Department of Justice

FISCAL ORDINANCE NO. 68, 1999 - approves an increase of \$782,558 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to continue the Weed and Seed Programs, financed by a grant from the Department of Justice

FISCAL ORDINANCE NO. 69, 1999 - approves an increase of \$102,944 in the 1999 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to continue the Adult Protective Services for Marion, Hamilton, Boone, and Hendricks Counties, funded by a grant from the Indiana Family and Social Services Administration

FISCAL ORDINANCE NO. 70, 1999 - approves an increase of \$5,000 in the 1999 Budget of the Prosecuting Attorney (County Grants Fund) to pay for informational brochures to promote the services available from "A Child's Haven" waiting room, funded by a grant from the Indianapolis Bar Foundation

FISCAL ORDINANCE NO. 71, 1999 - approves an increase of \$1,630,053 in the 1999 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to cover operational expenses for fiscal year 1999/2000, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 72, 1999 - approves an increase of \$454,968 in the 1999 Budgets of the County Auditor and Community Corrections (Home Detention User Fee Fund) to fund positions, home detention equipment, and office supplies for the first half of fiscal year 1999-2000, financed by fund balances

FISCAL ORDINANCE NO. 73, 1999 - approves an increase of \$194,416 in the 1999 Budgets of the County Auditor and Community Corrections (State and Federal Grant Fund)to fund the Juvenile Court Intensive Probation Services Program for fiscal year 1999/2000, financed by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 74, 1999 - approves an increase of \$750 in the 1999 Budget of Community Corrections (County Grants Fund) to pay for an Arts Project for inmates housed in the Corrections Center, funded by a grant from the Arts Council of Indianapolis, Inc.

FISCAL ORDINANCE NO. 75, 1999 - approves an increase of \$1,723,075 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Disposal Fund) to pay the increased costs of private trash hauler contracts, financed by fund balances

FISCAL ORDINANCE NO. 76, 1999 - approves a transfer of \$451,642 and an increase of \$786,117 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Disposal Fund) to more accurately reflect accounting of costs between the Solid Waste Collection and Solid Waste Disposal funds, financed by a transfer between characters and a reduction of fund balances

GENERAL ORDINANCE NO. 74, 1999 - amends the Revised Code concerning the restrictions on signs which advertise garage sales

GENERAL ORDINANCE NO. 75, 1999 - concerns the deferred compensation plan for city and county employees

GENERAL ORDINANCE NO. 76, 1999 - authorizes off-leash areas in parks to enable the Department of Parks and Recreation to establish a dog park program

GENERAL ORDINANCE NO. 77, 1999 - prohibits the operation of live sex and violent act businesses in the city and county

GENERAL ORDINANCE NO. 78, 1999 - concerns panhandling, begging, and street performing on streets, and in public places and parks

SPECIAL ORDINANCE NO. 5, 1999 - a special ordinance for Park Tudor Foundation, Inc. in an amount not to exceed \$13,000,000 to be used for expansion and renovation of the Upper School and Fine Arts Building located at 7200 North College Avenue (Park Tudor School Project) (District 2)

GENERAL RESOLUTION NO. 6, 1999 - concerns the treatment of police and fire pension contributions

GENERAL RESOLUTION NO. 7, 1999 - concerns the tax treatment of sheriff deputy's contribution to pension plan

GENERAL RESOLUTION NO. 8, 1999 - approves certain public purpose grants totaling \$750,000 for support of the arts

GENERAL RESOLUTION NO. 9, 1999 - approves the Franklin Township Regional Sewer as the pilot "Pro Rata" sewer project

SPECIAL RESOLUTION NO. 42, 1999 - recognizes the Franklin Central High School Percussion Ensemble for winning the world championship for the second consecutive year

SPECIAL RESOLUTION NO. 43, 1999 - recognizes the 10th anniversary of the annual Glenn Howard Junior Golf Program

SPECIAL RESOLUTION NO. 44, 1999 - recognizes Peter Sterling, President of The Children's Museum of Indianapolis

SPECIAL RESOLUTION NO. 45, 1999 - recognizes the achievements of IPS School 105

SPECIAL RESOLUTION NO. 46, 1999 - amends the Sheriff's Pension Plan

SPECIAL RESOLUTION NO. 47, 1999 - an inducement resolution for Roth Realty, LLC in an amount not to exceed \$3,160,000 to be used for the development and construction of a 65,000 square foot building and the acquisition of machinery, equipment or other fixtures to be located at 8940 Vincennes Circle for use in the Company's communication manufacturing business (District 1)

SPECIAL RESOLUTION NO. 48, 1999 - supports an application to the Indiana Enterprise Zone Board for recertification of the Indianapolis Enterprise Zone for an additional five years

SPECIAL RESOLUTION NO. 49, 1999 - authorizes the Mayor to submit to the Indiana Enterprise Zone Board an application requesting modification to the boundaries of the City of Indianapolis Enterprise Zone

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1999 - approves a transfer of \$210,225 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Collection Service District Fund) and an increase of \$986,117 in the Solid Waste Collection Service District Fund to more accurately reflect accounting of costs between the Solid Waste Collection and Solid Waste Disposal Funds

Respectfully,
s/Stephen Goldsmith, Mayor

June 29, 1999

Suellen Hart, Clerk
City-County Council

RE: Proposal No. 431, 1999, Rezoning Ordinance No. 105, 1999, Zoning Petition No. 99-Z-80 (99-DP-14), 4640 S. Emerson Avenue (approximate address)

July 19, 1999

Dear Ms. Hart:

Please be advised that the Department of Metropolitan Development forwarded the above certification to the Council in error. (A copy of the certification is attached.) This petition was originally recommended for denial by the City of Beech Grove on May 17, 1999. On June 2, 1999, the Metropolitan Development Commission, by vote of its members, affirmed that denial. Therefore, the zoning case at that point was terminated and should not have been certified to the Council.

Through administrative error, this petition was mistakenly forwarded to the Council along with other petitions that had, in fact, been approved by the Commission. We therefore respectfully request that you take any appropriate action that you deem necessary to correct your records.

Please feel free to contact the Commission's attorney, Jeff Sirmin (327-4055) if you have any questions regarding this matter.

Thanking you in advance for your cooperation in this matter, we are,

Sincerely yours,
s/Eugene Lausch, Director
Department of Metropolitan Development
s/James Curtis, Secretary
Metropolitan Development Commission

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 June 21, 1999. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 464, 1999. The proposal, sponsored by Councillor Cockrum, commends Indianapolis and Scarborough/Toronto, Canada, for receiving a top international honor from Sister Cities International. Councillor Cockrum read the proposal and stated that the resolution will be presented at the closing ceremonies of the Scarborough/Indianapolis Peace Games on Sunday evening, July 25, 1999. Councillor Cockrum moved, seconded by Councillor Massie, for adoption. Proposal No. 464, 1999 was adopted by a unanimous voice vote.

Proposal No. 464, 1999 was retitled SPECIAL RESOLUTION NO. 50, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1999

A SPECIAL RESOLUTION commending Indianapolis and Scarborough/Toronto, Canada, for receiving a top international honor from Sister Cities International.

WHEREAS, Sister Cities International is a nonprofit organization that works with United States communities to develop relationships with counterpart communities in other nations; and

WHEREAS, Sister Cities International organizes city officials in more than 1,200 United States cities and their 2,000 partners in 125 foreign countries; and

WHEREAS, Sister Cities International has announced Indianapolis as the recipient of this year's Best Youth Program Award; and

WHEREAS, this honor recognizes the Indianapolis-Scarborough Peace Games, which is an annual international multi-sport event, as strengthening cross-cultural understanding rather than traditional competition; and

WHEREAS, this award would not be possible without the support of citizens from both Indianapolis and Scarborough who have conducted this annual event each year since 1973; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the original organizers, the many volunteers, the thousands of participants, the hundreds of Parks and Recreation Department employees, and the many financial supporters from both Indianapolis and Scarborough, who have for the past 27 years made these games such a success.

SECTION 2. The Council commends this year's Indianapolis Peace Games Coordinator, Ms. Suzi Snapp, who represents the Indianapolis citizens, and who prepared the entry form along with a one page summary, a three page narrative, copies of promotional material, and pictures of the Peace Games events.

SECTION 3. The Council also commends this year's President of the Scarborough Peace Games Executive Board, Mrs. Donna Benson, who represents the Scarborough citizens.

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.

Councillor McClamroch asked for consent to vote on Proposal Nos. 195, 352, 392, and 394, 1999 together. All proposals are board appointments and passed out of Committee with do pass recommendations. Consent was given.

PROPOSAL NO. 195, 1999. The proposal, sponsored by Councillor O'Dell, appoints David A. Scott to the Indianapolis Public Transportation Corporation Board. PROPOSAL NO. 352, 1999. The proposal, sponsored by Councillor McClamroch, appoints Wayne S. Nelson to the Indianapolis-Marion County Public Library Board. PROPOSAL NO. 392, 1999. The proposal, sponsored by Councillor McClamroch, reappoints Sarah Taylor to the Information Technology Board. PROPOSAL NO. 394, 1999. The proposal, sponsored by Councillor McClamroch, appoints Martha A. Womacks to the Information Technology Board. Councillor McClamroch moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 195, 352, 392, and 394, 1999 were adopted by a unanimous voice vote.

Proposal No. 195, 1999 was retitled COUNCIL RESOLUTION NO. 59, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 1999

A COUNCIL RESOLUTION appointing David A. Scott to the Indianapolis Public Transportation Corporation 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 Indianapolis Public Transportation Corporation Board, the Council appoints:

David A. Scott

July 19, 1999

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2001. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 352, 1999 was retitled COUNCIL RESOLUTION NO. 60, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1999

A COUNCIL RESOLUTION appointing Wayne S. Nelson to the Indianapolis-Marion County Public Library 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 Indianapolis-Marion County Public Library Board, the Council appoints:

Wayne S. Nelson

SECTION 2. The appointment made by this resolution is for a term ending April 16, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 392, 1999 was retitled COUNCIL RESOLUTION NO. 61, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 1999

A COUNCIL RESOLUTION reappointing Sarah Taylor to the Information Technology 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 Information Technology Board, the Council appoints:

Sarah Taylor

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 394, 1999 was retitled COUNCIL RESOLUTION NO. 62, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 1999

A COUNCIL RESOLUTION reappointing Martha A. Womacks to the Information Technology 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 Information Technology Board, the Council appoints:

Martha A. Womacks

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 433, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Wireless Communication Zoning Ordinance (99-AO-01)(Certified June 23, 1999)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 434, 1999. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the investment of public funds in money market mutual funds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 435, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$5,000 in the 1999 Budget of the County Sheriff (State and Federal Grants Fund) to pay the overtime for one deputy assigned to the Operation Failed Chance Task Force, funded by a U.S. Marshals Task Force Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 436, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$500,000 in the 1999 Budgets of the County Sheriff and County Auditor (State and Federal Grants Fund) to fund 15 road deputies to continue road patrol duties (third year of the Law Enforcement Assistant Grant), funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 437, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$177,172 in the 1999 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to continue the comprehensive traffic safety program, funded by a grant from the Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 438, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$185,011 in the 1999 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide funding for sexual assault examinations by the Centers of Hope (St. Francis, Wishard, Community East, St. Vincent, and Methodist Hospitals) and to provide 5% of the Grants Manager's salary, funded by a Indiana Criminal Justice Institute grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 439, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$66,366 in the 1999 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide funds for operating costs for "A Child's Haven" (a waiting room for children of victims of domestic violence), and to pay 5% of the Grants Manager's salary, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 440, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$600,551 in the 1999

Budgets of the County Auditor, County Sheriff, Community Corrections, and Marion County Justice Agency (County Corrections Fund) to provide for the diversion of misdemeanor populations from state facilities, funded by County Corrections Funds from the State of Indiana"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 441, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$445,100 in the 1999 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 442, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$24,000 in the Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant for Big Sisters, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 443, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$161,140 in the 1999 Budgets of the County Auditor and the Marion County Public Defender Agency (State and Federal Grants Fund) to continue the sentencing alternative project, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 444, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$96,908 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for police overtime to reduce drug dealing, violent crime, gang activity, domestic violence, and improve the perception of the Meadows area, funded by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 445, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$23,899 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for supplies, cell phones, and computer equipment for enhancing the Weed and Seed Site areas through the U.S. Marshall's Fugitive Task Force, funded by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 446, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$30,000 in the 1999 Budget of the Forensic Services Agency (County General Fund) for unexpected costs involved in renovation of laboratory area to provide additional working space"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 447, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$48,000 in the 1999 Budget of the County Recorder (Recorder's Perpetuation Fund) to fund the necessary purchases for

Y2K compliance (contractual services, travel expense, hardware and software) financed by fund balances”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 448, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$750,000 in the 1999 Budget of the Department of Capital Asset Management (Advanced Wastewater Treatment Facilities Reserve Fund) to fund improvements at the City's Advanced Wastewater Treatment Facility, financed by fund balances”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 449, 1999. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$5,500,000 in the 1999 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund, \$2,250,000; State Grants Fund, \$3,250,000) to reconstruct McCarty Street including an I-70 connector and widening of the McCarty Street/Meridian Street intersection, financed by state and local grants”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 450, 1999. Introduced by Councillor Tilford. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal for Kroger located at 7100 East 10th Street (District 12)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 451, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal at Mitthoefer Road and 42nd Street (District 14)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 452, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for Maple Lane and Meadowlark Drive (District 14)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 453, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi way stop at Stop 11 Road, Rahke Road, and Katherine Drive (District 25)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 454, 1999. Introduced by Councillor Short. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi way stop at Fletcher Avenue and Randolph Street (District 21)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 455, 1999. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi way stop at Conarroe Road and Gunnery Road (District 1)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 456, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes parking restrictions for Roanoke

Street between Michigan Street and North Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 457, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Hill Valley Drive from Meadowood Drive to Rahke Road (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 458, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on New Jersey Street between Fort Wayne Avenue and Tenth Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 459, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a deletion of the weight restriction on Lockerbie Street, from East Street to Park Avenue (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 460, 1999. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes an increase in the speed limit on Decatur Boulevard between Heathrow Way and Thompson Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 461, 1999. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the parking meter zones and manner of parking for Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 462, 1999. Introduced by Councillors McClamroch and Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the creation of a cul-de-sac on northbound Springmill Road between Copley Drive and 96th Street (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 463, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which clarifies the authority of the Housing Agency police"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 468, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which is an inducement resolution for Chip Ganassi Racing Teams, Inc. in an amount not to exceed \$4,000,000 to be used for the acquisition, construction and equipping of a manufacturing facility for use in the company's business of developing and manufacturing championship automobile racing cars on a 5.81 acre parcel of land to be located at 7805 Woodland Drive (Ganassi Racing Teams, Inc. Project) (District 1)"; and the President referred it to the Economic Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 465, 1999. In Councillor Borst's absence, Acting Chairman Franklin reported that the Economic Development Committee heard Proposal No. 465, 1999 on July 19, 1999. The

proposal, sponsored by Councillor Borst, is a special ordinance for Roth Realty, LLC in an amount not to exceed \$3,160,000 to be used for the development and construction of a 65,000 square foot building and the acquisition of machinery, equipment or other fixtures to be located at 8940 Vincennes Circle for use in the Company's communications systems manufacturing business (District 1). By a 3-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded by Councillor Massie, for adoption. Proposal No. 465, 1999 was adopted on the following roll call vote; viz:

18 YEAS: Boyd, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

1 NAY: Gray

2 NOT VOTING: Bradford, Coonrod

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 465, 1999 was retitled SPECIAL ORDINANCE NO. 6, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1999

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$3,160,000 City of Indianapolis, Indiana Economic Revenue Bonds, Series 1999 (Roth Companies, Inc. 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

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, Roth Realty, LLC (the "Borrower") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Borrower in order to enable the Borrower to undertake and complete the development and construction of a 65,000 square foot concrete structure, the relocation of an existing facility and the acquisition of machinery, equipment or other fixtures to be used in furtherance of Roth Companies, Inc.'s manufacture of communication systems to be located at 8940 Vincennes Circle, Indianapolis, Indiana (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 Borrower 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 and construction of the Project by issuing its \$3,160,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1999 (Roth Companies, Inc. Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 14, 1999 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 Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of August 1, 1999 between the Issuer and Bank One Trust Company, N.A. (the "Trustee") and loan the proceeds thereof pursuant to a Loan Agreement (the "Loan Agreement") dated as of August 1, 1999 by

July 19, 1999

and between the Issuer and the Borrower 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 Borrower of the loan of the proceeds of the Bonds pursuant to which the Borrower 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 forms of the Loan Agreement, Indenture, form of Bonds, Bond Purchase Agreement, Preliminary Official Statement relating to the Bonds, and Note of the Borrower (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 RESOLVED 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 Borrower 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 Borrower 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 \$3,160,000 for the purpose of procuring funds to loan to the Borrower 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 Borrower 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 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 and form of Bonds.

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 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 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 Bank, 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. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal

amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to Banc One Capital Markets, Inc. that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 7. 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 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. 469, 1999, PROPOSAL NO. 470, 1999, and PROPOSAL NOS. 471-474, 1999. Introduced by Councillor Hinkle. Proposal No. 469, 1999, Proposal No. 470, 1999, and Proposal Nos. 471-474, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 12, 1999. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 105-110, 1999, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 105, 1999.

99-Z-47

2465 SOUTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

SHAD HOWARD, requests a rezoning of 0.57 acre, being in the D-A District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 106, 1999.

99-Z-73

510 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

SOUTHPORT LAWN EQUIPMENT, by Edward Williams, requests a rezoning of 0.312 acre, being in the D-A District, to the C-1 classification to provide for lawn equipment sales and service.

REZONING ORDINANCE NO. 107, 1999.

99-Z-68

2902 WEST 86th STREET (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

PK PARTNERS, by Philip A. Nicely, requests a rezoning of 5.750 acres, being in the D-P District, to the C-S classification to provide for a neighborhood shopping center.

REZONING ORDINANCE NO. 108, 1999.

99-Z-81

1143 DR. MARTIN LUTHER KING JR. STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

NEW BAPTIST CHURCH requests a rezoning of 0.10 acre, being in the D-8 District, to the SU-1 classification to provide for a parking lot associated with an adjacent church facility.

REZONING ORDINANCE NO. 109, 1999.

99-Z-82

420 SOUTH TIBBS AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17

WEST INDIANAPOLIS DEVELOPMENT CORPORATION, by Larry F. Whitham, requests a rezoning of 3.65 acres, being in the D-A District, to the D-4 classification to provide for a single family residential development.

REZONING ORDINANCE NO. 110, 1999.
99-CP-26Z

2321 EAST MINNESOTA STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

ROYAL FOOD PRODUCTS, by Thomas Michael Quinn, requests a rezoning of 2.2 acres, being in the I-3-U, C-4, and D-5 Districts, to the I-3-U classification to provide for the expansion of an industrial foods facility.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 297, 1999. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 297, 1999 on July 6, 1999. The proposal, sponsored by Councillor Shambaugh, approves an increase of \$18,454 in the 1999 Budget of the Wayne Township Assessor (County General Fund) to pay for emergency water damage repair to the township headquarters building to prevent further damage, financed from fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Schneider moved, seconded by Councillor Shambaugh, to strike. Proposal No. 297, 1999 was stricken by a unanimous voice vote.

PROPOSAL NO. 362, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 362, 1999 on June 16, 1999. The proposal approves an increase of \$186,331 in the 1999 Budgets of the County Auditor and County Sheriff (County General Fund) to hire seven court line deputies for various courts, financed by fund balances. Councillor Dowden moved, seconded by Councillor Schneider, to postpone Proposal No. 362, 1999 until August 2, 1999. Proposal No. 362, 1999 was postponed by unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 365, 366, 400, and 402, 1999 on June 23, 1999. He asked for consent to vote on Proposal Nos. 365, 366, 400, and 402, 1999 together. Consent was given.

PROPOSAL NO. 365, 1999. The proposal, sponsored by Councillor Dowden, approves an increase of \$212,659 in the 1999 Budgets of the County Auditor and Marion County Superior Court, Juvenile Division (Alternative School Fund) to pay the salaries for the remaining six months of 1999 for New Directions Academy, funded by fund balances. PROPOSAL NO. 366, 1999. The proposal, sponsored by Councillor Dowden, approves an increase of \$200,000 in the 1999 Budgets of the County Auditor and Marion County Superior Court, Juvenile Division (County Grants Fund) to fund a peer mediator position, a remedial reading instructor, and to pay for services provided by America Works, funded by a grant from Indianapolis Private Industry Council, Inc. PROPOSAL NO. 400, 1999. The proposal, sponsored by Councillor Dowden, approves an increase of \$45,000 in the Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Project IMPACT funded by a grant from Indiana Criminal Justice Institute. PROPOSAL NO. 402, 1999. The proposal, sponsored by Councillor Curry, elects to fund MECA operations in calendar year 2000 with \$2 million of COIT revenue. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal Nos. 365, 366, 400, and 402, 1999 were adopted on the following roll call vote, viz:

17 YEAS: Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

1 NAY: Hinkle

3 NOT VOTING: Boyd, Coonrod, Franklin

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 365, 1999 was retitled FISCAL ORDINANCE NO. 77, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Hundred Twelve Thousand Six Hundred Fifty-nine Dollars (\$212,659) in the State and Federal Grants Fund for purposes of the County Auditor and Superior Courts, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Alternative School Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,cc) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Superior Court, Juvenile Division, to pay the salaries for the remaining six months of 1999 for New Directions Academy.

SECTION 2. The sum of Two Hundred Twelve Thousand Six Hundred Fifty-nine Dollars (\$212,659) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>ALTERNATIVE SCHOOL FUND</u>
1. Personal Services- fringes	42,532
<u>MARION COUNTY SUPERIOR COURT</u>	
<u>JUVENILE DIVISION</u>	
1. Personal Services	170,127
TOTAL INCREASE	212,659

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

	<u>ALTERNATIVE SCHOOL FUND</u>
Unappropriated and Unencumbered	
Alternative School Fund	212,659
TOTAL REDUCTION	212,659

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.

Proposal No. 366, 1999 was retitled FISCAL ORDINANCE NO. 78, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the County Grants Fund for purposes of the County Auditor and Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,cc) of the City-County Annual Budget for 1999 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Superior Court, Juvenile Division, to fund a peer mediator position, a remedial reading instructor, and to pay for services provided by America Works.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	25,000
 <u>MARION COUNTY SUPERIOR COURT, JUVENILE DIVISION</u>	
1. Personal Services	102,000
2. Supplies	2,700
3. Other Services and Charges	<u>70,300</u>
TOTAL INCREASE	200,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered County Grants Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

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.

Proposal No. 400, 1999 was retitled FISCAL ORDINANCE NO. 79, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Forty-five Thousand Dollars (\$45,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Courts, Juvenile Division, 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 I.02(cc) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Courts, Juvenile Division to fund Project Impact.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) 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>MARIN COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	45,000
TOTAL INCREASE	45,000

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 Fund	45,000
TOTAL REDUCTION	45,000

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.

Proposal No. 402, 1999 was retitled SPECIAL ORDINANCE NO. 7, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1999

A SPECIAL ORDINANCE election to fund MECA in 2000 with County Option Income Tax (COIT) Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the City-County Council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 2000, the City-County Council, prior to September 1, 1999, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District, now, therefore:

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

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 2000 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,000,000.

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

In Councillor Borst's absence, Acting Chairman Franklin reported that the Economic Development Committee heard Proposal Nos. 466 and 467, 1999 on July 19, 1999.

PROPOSAL NO. 466, 1999. The proposal, sponsored by Councillor Borst, is a special ordinance for Partners in Action in an amount not to exceed \$11,220,000 to be used for the acquisition, renovation and upgrading of the existing 336-unit Fox Club Apartments located at 4401 South Keystone Avenue (Fox Club Apartments Project) (District 24). By a 3-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Hinkle asked if it is legal to have a 3-0 vote out of Committee when the Committee consists of seven members and no quorum was present. The President stated that he attended the meeting as an ex-officio member of the Committee in order to constitute a quorum. General Counsel Robert Elrod stated that as long as a quorum is present, the vote out of the Committee simply has to be a majority vote, not a quorum vote. He stated that if another voting member had been present, the vote could have been 3-1, and the proposal still would have passed out of Committee.

The President called for public testimony at 8:02 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Coonrod, for adoption. Proposal No. 466, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 466, 1999 was retitled SPECIAL ORDINANCE NO. 8, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 1999

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to an aggregate of \$11,220,000 City of Indianapolis, Indiana Economic Development Multifamily Housing Revenue Bonds (Fox Club Apartments Project) and improving 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 or 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 issuer and a corporate trustee; and

WHEREAS, a representative of Partners in Action, an Arizona nonprofit corporation (the "Applicant") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Applicant in order to enable the Applicant to undertake and complete the acquisition, renovation, expansion, construction and equipping of a 336-unit multifamily residential facility known as the Fox Club Apartments located on a 25.43 acre parcel at 4401 South Keystone Avenue, including the acquisition, construction and installation of various site improvements for such project; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Applicant 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 and substantial rehabilitation of the Project by issuing up to \$11,220,000 City of Indianapolis, Indiana Economic Development Multifamily Housing Revenue Bonds (Fox Club Apartments Project) Series 1999A in an aggregate principal amount not to exceed \$8,865,000 (the "Series A Bonds") and Subordinate Series 1999B bonds in the aggregate principal amount not to exceed \$2,355,000 (the "Series 1999B Bonds") (collectively, the "Bonds"); and

WHEREAS, the Indianapolis, Indiana Economic Development Commission, after a public hearing conducted on July 14, 1999 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, found 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 Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of August 1 by and between the Issuer and National City Bank of Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Applicant pursuant to a Loan Agreement (the "Loan Agreement") dated as of August 1, 1999, between the Issuer and the Applicant 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 Applicant of the loan of the proceeds of the Bonds pursuant to which the Applicant will agree to make payments sufficient to pay the principle 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, there has been submitted to the Commission for its approval substantially final forms of the Loan Agreement, Trust Indenture, Promissory Notes, Tax Regulatory Agreement, Preliminary Official Statement relating to the Series A Bonds, Preliminary Private Placement Memorandum relating to the Series B Bonds, Form of Series 1999A Bond, Form of Series 1999B Bond, Tax Certificate as to Arbitrage, Bond Purchase Agreement and Bond Placement Agreement (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT RESOLVED 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 Applicant for the purpose of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Applicant 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 principle amount not to exceed \$11,220,000 for the purpose of procuring funds to loan to the Applicant 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 form the payments made by the Applicant 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 90% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest not to exceed 14% percent per annum.

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 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. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Private Placement Memorandum and the Preliminary Official Statement are hereby deemed final as of their dates, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement and the Preliminary Private Placement Memorandum are hereby authorized to certify to Dain Rauscher Incorporated that the information in the Preliminary Private Placement Memorandum and the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Private Placement Memorandum and the Preliminary Official Statement.

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. 467, 1999. The proposal, sponsored by Councillor Borst, is a special ordinance for Partners in Action in an amount not to exceed \$21,780,000 to be used for the acquisition, renovation and upgrading of the existing 588-unit Lake Nora Arms Apartments located at 9000 North College Avenue (Lake Nora Arms Apartments Project) (District 3). By a 3-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Massie, for adoption. Proposal No. 467, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 467, 1999 was retitled SPECIAL ORDINANCE NO. 9, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1999

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to an aggregate of \$21,780,000 City of Indianapolis, Indiana Economic Development Multifamily Housing Revenue Bonds (Lake Nora Arms Apartments Project) and improving 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 or 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 issuer and a corporate trustee; and

WHEREAS, a representative of Partners in Action, an Arizona nonprofit corporation (the "Applicant") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Applicant in order to enable the Applicant to undertake and complete the acquisition,

renovation, expansion, construction and equipping of a 588-unit multifamily residential facility known as the Lake Nora Arms Apartments located on a 40.83 gross acres parcel (34.13 acres net of the centrally positioned lake) at 9000 North College Avenue, including the acquisition, construction and installation of various site improvements for such project; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Applicant 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 and substantial rehabilitation of the Project by issuing up to \$21,780,000 City of Indianapolis, Indiana Economic Development Multifamily Housing Revenue Bonds (Lake Nora Arms Apartments Project) Series 1999A in an aggregate principal amount not to exceed \$17,205,000 (the "Series A Bonds") and Subordinate Series 1999B bonds in the aggregate principal amount not to exceed \$4,575,000 (the "Series 1999B Bonds") (collectively, the "Bonds"); and

WHEREAS, the Indianapolis, Indiana Economic Development Commission, after a public hearing conducted on July 14, 1999 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, found 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 Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of August 1 by and between the Issuer and National City Bank of Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Applicant pursuant to a Loan Agreement (the "Loan Agreement") dated as of August 1, 1999, between the Issuer and the Applicant 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 Applicant of the loan of the proceeds of the Bonds pursuant to which the Applicant will agree to make payments sufficient to pay the principle 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, there has been submitted to the Commission for its approval substantially final forms of the Loan Agreement, Trust Indenture, Promissory Notes, Tax Regulatory Agreement, Preliminary Official Statement relating to the Series A Bonds, Preliminary Private Placement Memorandum relating to the Series B Bonds, Form of Series 1999A Bond, Form of Series 1999B Bond, Tax Certificate as to Arbitrage, Bond Purchase Agreement and Bond Placement Agreement (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT RESOLVED 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 Applicant for the purpose of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Applicant 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 principle amount not to exceed \$21,780,000 for the purpose of procuring funds to loan to the Applicant 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 Applicant 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 90% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest not to exceed 14% percent per annum.

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 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. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Private Placement Memorandum and the Preliminary Official Statement are hereby deemed final as of their dates, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement and the Preliminary Private Placement Memorandum are hereby authorized to certify to Dain Rauscher Incorporated that the information in the Preliminary Private Placement Memorandum and the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Private Placement Memorandum and the Preliminary Official Statement.

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.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 348, 1999. Councillor Schneider reported that the Administration and Finance Committee head Proposal No. 348, 1999 on July 6, 1999. The proposal, sponsored by Councillor Smith, amends and recodifies provisions dealing with salary of county employees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 348, 1999 was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 348, 1999 was retitled GENERAL ORDINANCE NO. 79, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 1999

A GENERAL ORDINANCE amending and recodifying provisions in Chapters 282 and 291 dealing with salary of county employees.

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

SECTION 1. Article I of Chapter 282 be and is hereby amended by deleting the stricken-through text and inserting the underlined text in secs. 282-111 through 282-115 to read as follows:

ARTICLE I. ~~MARION~~ COUNCIL'S COUNTY SALARY RECOMMENDATION PANEL

Sec. 282-111. ~~Marion Council's~~ County salary recommendations panel created.

There is hereby created a ~~Marion~~ the Council's county salary recommendations panel.

Sec. 282-112. Members, appointment and qualifications.

(a) The panel shall consist of three (3) members appointed by the city-county council:

- (1) Two (2) members of the panel shall be nominated by the leader of the members of the city-county council who are members of the political party having the largest representation on the council.
- (2) One (1) member of the panel shall be nominated by the leader of the members of the city-county council who are members of the political party having the second-largest representation on the council.

(b) The panel nominations shall be certified to the clerk by the leaders of the respective caucuses as soon as practicable after April 1 of each year. The panel nominees shall then be confirmed as a group by a majority vote of the council; otherwise, if they are not confirmed, there shall be no panel for that calendar year. Members of the panel shall serve until their duties under Article V of Chapter 291 of this Code are performed, or until July 20 of the year of their appointment, whichever is sooner.

(c) Qualifications required for membership on the panel are as follows:

- (1) Each member must be a resident freeholder of Marion County;
- (2) Each member must be an executive having substantial responsibility for determining compensation levels in a private, for-profit, organization or have substantial experience in the field of human resources, or have substantial experience as an executive responsible for determining or recommending compensation levels in governmental organizations;
- (3) No member may be an employee of Marion County, the City of Indianapolis, the health and hospital corporation, the Indianapolis-Marion County building authority, the Indianapolis-Marion County airport authority, or any other entity whose governing authority is substantially appointed by officials of Marion County and the City of Indianapolis.

(d) Vacancies which occur on the panel shall be filled by nomination by the same council members who nominated the departed member subject to confirmation by a majority vote of the council.

Sec. 282-113. Officers and quorum.

(a) A quorum of the panel shall be two (2).

(b) The first meeting of the panel shall be called by the clerk of the council or the clerk's designee, who shall preside until the panel shall have chosen a chairperson from among its members. The chairperson shall preside when present. The panel shall then choose a vice-chairperson to preside in the absence of the chairperson. The clerk or the clerk's designee shall act as secretary of the panel. The panel shall govern its own affairs within the limits imposed by the this Code.

Sec. 282-114. Staff.

The panel and its individual members shall be entitled to reimbursement for their necessary and direct expenses, subject to the approval of the president of the council. The panel shall also be entitled to office facilities, clerical support, legal counsel, and the assistance of consultants, subject to the approval of the president of the council and payable from appropriations to the council office.

~~Sec. 282-115. Duties.~~

~~The Marion County salary recommendations panel shall perform those duties assigned to it by Article V of Chapter 291 of this Code.~~

SECTION 2. Sections 291-611 and 291-612 of Article VI of Chapter 291 be and are hereby recodified in Chapter 282 as Sec. 282-115 and 282-116 by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. ~~291-611~~ 282-115. Duties of salary recommendation panel.

(a) The panel is directed to recommend the level of salary of each employing official in county government whose compensation is derived primarily from a salary paid from the county treasury, and the state treasury when the law provides for salary payments by the state to a local official. Recommendations must be consistent with any statutory limitations on the compensation which may be paid by county government. Salaries of officers whose compensation may be determined by contract authorized by section 281-611 of the Code shall be excluded from panel review.

(b) In recommending each salary, the panel shall consider any other compensation of material value that is customarily provided to the employing official, including fringe benefits. The panel shall also consider the length of the work day and work week and the number of days worked per year that is customary for the employing official. In the context of these considerations, the panel shall employ the following four (4) criteria in recommending salaries and give them equal weight:

- (1) Parity with city department and division heads;
- (2) Comparability with private sector;
- (3) Salary range in the county's normal classification system;
- (4) Comparability with similar government organizations.

In instances where the employing official is appointed and serves at the pleasure of a board or other official, the panel shall recommend a range of salaries, with the object of allowing the appointing authority to set the actual salary.

(c) The panel shall recommend salaries with the object of the recommendations being implemented on the first day of the coming calendar year, except in the case of employing officials who regularly serve terms greater than one (1) year. In these instances, the recommendations of the panel shall be made in the year prior to the year an individual is regularly selected to serve. In other years, the panel shall recommend only the amount of a cost of living adjustment.

(d) The panel may take action up to July 20 of the year of their appointment, at which time its recommendations shall be recorded by the clerk and certified by him to the auditor. In the event the panel has taken no action to recommend a salary for an employing official, the absence of a recommendation shall be treated as a recommendation that the salary or range of salaries for that employing official be left unchanged.

Sec. ~~291-612~~ 282-116. Duties of auditor.

The auditor, in presenting the next proposed budget ordinance to the council as required by law, shall incorporate the recommendations of the panel into the text. The council shall then consider the panel's recommendations as an integral part of the proposed budget ordinance.

SECTION 3. Sec. 291-605 of Article 6 of Chapter 291 of the Revised Code of the Consolidated City and County be and is hereby amended and recodified as Sec. 151-34 by deleting the stricken-through text and inserting the underlined text to read as follows:

ARTICLE VI. SALARY RECOMMENDATION PANEL

Sec. ~~291-605~~ 151-34. ~~Transition to new classifications~~ Ad hoc county employees' salary committee.

(a) As soon as practicable after March 1 of each year, there shall be appointed an ad hoc committee of the council consisting of three (3) to seven (7) members of the administration and finance committee and the public safety committee. The committee shall be known as the ad hoc county ~~personal services employees' salary~~ committee. The membership of the committee is not limited to members of the administration and finance committee and public safety committee, but may include members of any standing committee that customarily has responsibility for reviewing county appropriations. The chairman of the administration and finance committee shall be the chairman of the committee, and the chairman of the public safety committee shall be the vice-chairman of the committee, provided that they may appoint others to serve in their places. The other members of the committee are appointed by the chairman of the administration and finance committee, in consultation with the chairmen of other standing committees which customarily have responsibility for county appropriations. All appointments are subject to the approval of the committee on committees.

(b) The ad hoc county ~~personal services employees' salary~~ committee shall focus on a partnership with county government in researching and identifying efficiencies and revenues needed to finance moving the county salary schedule toward and to market value, at the midpoint, as well as keeping the salary schedule current with necessary cost of living adjustments. This research and identification shall be based on criteria determined by the committee, but should include consideration of the rate of turnover in county employment units, the degree of unfavorable variance of salaries from the midpoints of job classification ranges, as well as prior year budget reversions.

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

PROPOSAL NO. 373, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 373, 1999 on June 30, 1999. The proposal, sponsored by Councillor Smith, repeals certain obsolete provisions and recodifies other provisions dealing with railroad crossings. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 373, 1999 was adopted on the following roll call vote; viz:

18 YEAS: *Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Franklin, Golc, Gray, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford*

0 NAYS:

3 NOT VOTING: *Brents, Dowden, Gilmer*

7 ABSENT: *Black, Borst, Moores, Short, Smith, Talley, Williams*

Proposal No. 373, 1999 was retitled GENERAL ORDINANCE NO. 80, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1999

A GENERAL ORDINANCE recodifying certain provisions and repealing the balance of Chapter 611 of the Revised Code of the Consolidated City and County.

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

SECTION 1. Section 611-602 of the Revised Code of the Consolidated City and County be and is hereby recodified as sec. 441-320 to read as follows:

Sec. ~~611-602~~ 441-320. Obstruction of streets.

It shall be unlawful for the directing officer or the operator of any railroad train or engine to direct the operation thereof while switching or in any other such manner so as to obstruct and prevent, for any time exceeding five (5) minutes, the free use of the parts of any street or roadway within the city which otherwise would

be sufficient for purposes of travel thereon by other vehicles; provided, however, this section shall not apply to the operator of a train of cars who is either compelled to stop by causes beyond his control or when such vehicles consist of no more than thirty (30) cars and are both in motion and traveling upon their regular schedule and route.

SECTION 2. All other provisions of Chapter 611 of the Revised Code of the Consolidated City and County be and are hereby repealed, which sections now read as follows:

Sec. 611-601. Unlawful places for riding.

~~It shall be unlawful for any person, without authority therefor, to ride on any vehicle subject to this chapter or on any train or other kind of public vehicle, when such vehicle is in motion, upon any portion thereof not designed or intended for such use of passengers; provided, however, this section shall not apply to any employee or other person engaged in the necessary discharge of a duty or to any person riding within trains or truck bodies in spaces intended for merchandise, or in charge of animals.~~

Sec. 611-603. Railroad speeds.

~~It shall be unlawful to operate or to permit the operation of any railroad engine, car or train of cars on any railroad over or across any street or public place which is at grade with the railroad tracks within the city at a speed greater than forty (40) miles per hour, provided, however, this limitation of speed or any provision of this Code relating to or regulating any crossings at street grade shall not apply at any such street or public place where such railroad tracks are either elevated or depressed, or otherwise so constructed as to eliminate a crossing at grade, so that there is no danger of contact with persons or traffic proceeding under or over such tracks at any such street or public place.~~

Sec. 611-604. Authority to require flagmen and gates.

~~The board of public safety may fix, by rules or orders from time to time, hours when flagmen shall be on duty at any grade crossings or where gates or other safety devices shall be operated in any manner at any such crossings. Such rules, when duly adopted and published in the manner penal ordinances are required to be published, or when certified copies thereof are served upon the railroads so affected, shall have thereafter the force and effect of ordinances; provided, however, any such rules shall be superseded and shall be deemed to be repealed by any ordinance, or contract authorized or approved thereby, covering the same subject matter and any such places or any such railroad company.~~

Sec. 611-605. Flagman's warning.

~~(a) All flagmen placed at any grade crossing of railroad tracks and streets shall be provided by the company employing them with a signal flag by day and a lighted lantern by night, and they shall give to all persons approaching or about to cross the railroad tracks at such street crossing a reasonable notice by signal with the flag by day and a lantern by night, either to cross such tracks or to stop and not cross such tracks, according to whether there is or is not danger from trains, engines or cars approaching or operating upon such tracks.~~

~~(b) Any person operating manually any kind of safety device or gate at railroad grade crossings shall operate it in a manner sufficient under subsection (a) to warn and protect travelers.~~

Sec. 611-606. Switching restricted at certain intersections.

~~(a) It shall be unlawful for the conductor of any railroad train, freight car or locomotive to engage in the activity generally known as "switching" in any manner that would in any way obstruct or prevent the free use by automobiles and other motor vehicles of the following intersections between the hours of 7:00 and 8:00 a.m., and between the hours of 3:00 and 5:00 p.m.:~~

- ~~(1) Bethel Avenue and Minnesota Street;~~
- ~~(2) Churchman Street and Keystone Avenue.~~

~~(b) Subsection (a) shall not apply to any railroad train which has its air hose connected and pressurized, and shall not apply on a Saturday, Sunday or holiday, or to any conductor of a railroad train who is compelled to stop by any cause beyond his control or the control of any superior officer.~~

~~(c) For the purposes of this section, the term "switching" shall mean the activity whereby freight cars not then a part of any through train are sorted out and moved to local destinations for any purpose.~~

~~Sec. 611-607. Train crossing street in absence of safety devices.~~

~~Any person in charge of any engine, car or train of cars, who shall run or permit it to be run across any street at which a flagman is required to be maintained or safety gates or signal bells or lights are operated pursuant to any ordinance or to an order of the board of public safety, at any time while no flagman or operator of any such gates or devices is on duty at the crossing, or when any such signal bell is not ringing, or lights or other device operating, shall be guilty of a violation of this chapter.~~

~~Sec. 611-608. Use of bell.~~

~~It shall be unlawful for any person in charge of any locomotive to cause or permit such locomotive to move or be moved across a grade crossing without the bell attached thereto being rung while so moving.~~

~~Sec. 611-609. Lights on trains.~~

~~Any person in charge of any locomotive, car or train of cars, who shall run or cause or permit the same to be run between the hours of sunset and sunrise, without a white light displayed on the front end of such locomotive, car or train of cars and a red light on the rear end thereof, shall be guilty of an offense. The words "front end" as used in this section shall mean that end of the locomotive, car or train of cars pointed in the direction in which it is moving.~~

~~Sec. 611-610. Interfering with processions.~~

~~Any person in charge of any locomotive or train of cars who, when able to avoid such interference, shall run or cause the same to be run over any street crossing in such a manner as to hinder or interfere with any funeral procession, or any other kind of procession permitted by ordinance, on conviction, shall be guilty of a violation.~~

~~Sec. 611-611. Steam escaping.~~

~~Any person in charge of any locomotive who shall allow steam to escape therefrom after the locomotive has traversed a distance of more than two hundred (200) feet from any point of starting, or while the locomotive is crossing any street or within fifty (50) feet thereof, except within a distance of two hundred (200) feet of any starting point, shall be guilty of an offense.~~

~~Sec. 611-612. Sounding whistle.~~

~~No person in charge of any locomotive shall sound or permit to be sounded the whistle or horn thereof for any public grade crossing within the city which is protected by flasher lights, bells, watchmen, flagmen or gates.~~

~~Sec. 611-613. Backing train.~~

~~Any person in charge of any locomotive, who shall run or cause or permit it to be run backward, without providing a watchman on the rear end of the locomotive to warn persons of its approach, shall be guilty of a violation; however, this section shall not apply to any locomotive that is not provided with a footboard or other similar place on the rear end thereof, suitable for a watchman to stand upon.~~

~~Sec. 611-614. Watchman on forward end of train.~~

~~Any person in charge of any car or train of cars on any steam or electric railroad who shall cause or permit the car or train of cars to be pushed over and along the railroad without providing a watchman on the forward end of the car or train of cars shall be guilty of a violation.~~

~~Sec. 611-615. Requirements for signals and gates.~~

~~(a) The signal bell provided for in this article shall consist of a metal gong located at each intersection named, and shall be so constructed that it will begin to ring when any car, train or engine, approaching such intersection of the tracks, reaches a point not less than fifteen hundred (1,500) feet from the intersection and shall continue to ring until the car, engine or train has passed such intersection. The gong shall be either automatic or manual in its construction and operation and shall make a sound loud enough to be heard by any person riding, driving or walking on the street or public place intersected by such tracks at grade, when at a distance of not less than five hundred (500) feet from the intersection.~~

~~(b) Flasher lights, as mentioned in this article, shall be one (1) of the standard types, either automatic or manually operated, as now used generally by railroads at grade crossings, and shall operate to flash warning lights, either stationary or by wigwag, or both, by day and night, visible plainly to operators of vehicles, riders and pedestrians upon the street or public place so intersected by such tracks, when such persons are at a distance of not less than five hundred (500) feet from such intersection.~~

~~(c) Safety gates, as mentioned in this article, shall be constructed with gate arms of such length as to reach across the street, including sidewalks, in which traffic is to be stopped. A gate or gates shall be placed on both sides of the tracks or group of tracks. The gate arms, when in position to stop traffic, shall be in a horizontal position and not more than three (3) feet four (4) inches above the grade of the street. The gates at each crossing may be of either automatic or manual type and shall be operated separately from and independently of the gates at any other crossing, unless otherwise specifically provided. Such gates shall be located, constructed and maintained under the direction and supervision of the city engineer.~~

~~(d) All such signal bells, flasher lights or other devices and all safety gates provided for by this section may also be controlled and operated by a person stationed in a tower or other place near the intersection.~~

~~Sec. 611-616. Obeying warning signals.~~

~~Where automatic or manual warning signals consisting of either bells, flasher lights or other devices of any type are in operation at any grade crossing, all persons shall obey such warnings; and all railroads installing such devices or any person operating them shall keep them in repair and proper operation.~~

~~Sec. 611-617. Streetlights at railroad crossings.~~

~~(a) Whenever any streetlights are placed and maintained by the city, by contract or otherwise, at or adjacent to any street crossing over which any railroad company maintaining tracks at grade operates any car, engine or train of cars at night, the railroad company shall pay to the city an amount equal to thirty (30) percent of the total cost incurred by the city in the maintenance and operation of such streetlights, so long as they are maintained, operated and continued by or for the city.~~

~~(b) The payments required by subsection (a) shall be made monthly by each such railroad company to the city controller, on or before the tenth day of each calendar month, and each payment shall cover the percentage of the cost of maintenance and operation of such lights for the preceding month.~~

~~Sec. 611-618. Persons near track.~~

~~A flagman shall prevent persons from standing on or within ten (10) feet of either side of the tracks of any railroad crossing at any time of danger.~~

~~Sec. 611-619. Ordinances remaining effective.~~

~~(a) All ordinances, whether termed therein as either general or special, relating to various railroads and requiring them to maintain at certain highway grade crossings in city the either a watchman, gates across the highway, or any type of devices for warning by signal bells or lights, operated either manually or automatically, as therein indicated and as such devices are herein referred to, which ordinances are still in effect when this Code becomes effective, shall not be repealed in any such instance, but shall continue in effect, whether the same are either set out or omitted in this Code, or appear in any appendix to this Code, or in any supplements to this Code.~~

~~(b) If so set out in any such manner or place pursuant to subsection (a), the list shall be only for convenient reference thereto and shall not, in any instance or respect, be deemed to amend, supplement, repeal or change any provisions actually in effect and contained in any such ordinance; except, however, as any such ordinances may be later amended, supplemented or repealed, and any such changes therein shall be so later included or indicated in any supplements to this Code.~~

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

PROPOSAL NO. 374, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 374, 1999 on June 30, 1999. The proposal, sponsored by Councillor Coughenour, approves an interlocal agreement between the City of Indianapolis and the City of Greenwood relating to roadway improvements on South County Line Road from Meridian Street to Shelby Street. By an 8-0 vote, the Committee reported the proposal to the Council with

the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 374, 1999 was adopted on the following roll call vote; viz:

20 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, McClanroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

1 NOT VOTING: Massie

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 374, 1999 was retitled GENERAL RESOLUTION NO. 10, 1999, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 1999

A GENERAL RESOLUTION establishing the approval of the City-County Council of the City of Indianapolis and Marion County, Indiana for the City of Indianapolis to enter into an interlocal agreement with the City of Greenwood.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-7-4 the City-County Council shall approve an interlocal agreement authorized under IC 36-1-7-1, et seq.; and

WHEREAS, the City of Indianapolis wishes to enter into an interlocal agreement with the City of Greenwood relating to roadway improvements on South County Line Road from Meridian Street to Shelby Street; and

WHEREAS, the City-County Council, having considered the Interlocal Agreement and being duly advised, approves that the City of Indianapolis enter into the Interlocal Agreement; now, therefore:

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

SECTION 1. The City-County Council hereby approves that the City of Indianapolis enter into an Interlocal Agreement with the City of Greenwood relating to roadway improvements on South County Line Road from Meridian Street to Shelby Street.

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

PROPOSAL NO. 398, 1999. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 398, 1999 on July 6, 1999. The proposal, sponsored by Councillor Bradford, determines the need to lease office space at 2188 East 54th Street for the Washington Township Assessor. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Bradford, for adoption. Proposal No. 398, 1999 was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClanroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 398, 1999 was retitled SPECIAL RESOLUTION NO. 51, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1999

A PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 5415 square feet of office space at 2188 E. 54th Street, Indianapolis, Indiana for the Washington Township Assessor.

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

SECTION 1. The city-county council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Washington Township Assessor is necessary.

SECTION 2. The property to be leased is located at 2188 E. 54th Street, Indianapolis, Indiana and is owned by Richard L. Clapper and Marsha L. Clapper.

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

PROPOSAL NO. 399, 1999. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 399, 1999 on June 28, 1999. The proposal, sponsored by Councillors Hinkle and Williams, urges support for full funding of the Community Development Block Grant program in the Year 2000. 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 Coughenour, for adoption. The motion to adopt Proposal No. 399, 1999 failed due to the following indecisive roll call vote; viz:

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

Councillor Hinkle stated that he is very disappointed that those who would vote to raise taxes to support less important causes would vote in opposition to a resolution encouraging tax-free funds for neighborhood programs. He asked if this proposal will remain on the agenda at the next meeting. Mr. Elrod stated that it will.

Councillor Boyd asked if there are any time constraints associated with this proposal and if holding it over to the next meeting will cause problems. Councillor Hinkle stated that there are no time-related issues.

PROPOSAL NO. 401, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 401, 1999 on June 23, 1999. The proposal approves a reduction of \$1,295,000 in the 1999 Budget of the Department of Public Safety, Fire Division (City Cumulative Capital Development Fund) due to alternative financing arranged for the construction of Fire Station 14. 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 Schneider, for adoption. Proposal No. 401, 1999 was adopted on the following roll call vote; viz:

19 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

2 NOT VOTING: Franklin, Hinkle

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 401, 1999 was retitled FISCAL ORDINANCE NO. 80, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) by reducing appropriation by One Million Two Hundred Ninety Five Thousand Dollars (\$1,295,000) for the Department of Public Safety, Fire Division, City Cumulative Capital Development Fund.

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

SECTION 1. To reflect reduction in proposed expenditures since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1999 be, and is hereby amended by reductions hereinafter stated.

SECTION 2. The following appropriation is hereby reduced:

DEPARTMENT OF PUBLIC SAFETY	<u>CITY CUMULATIVE CAPITAL</u>
<u>FIRE DIVISION</u>	<u>DEVELOPMENT FUND</u>
4. Capital Outlay	<u>1,295,000</u>
TOTAL REDUCTION	1,295,000

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

PROPOSAL NO. 420, 1999. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 420, 1999 on July 6, 1999. The proposal amends the fee schedule for copies of public records made by the city or county. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor Massie, for adoption. Proposal No. 420, 1999, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

2 NOT VOTING: Coughenour, Dowden

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 420, 1999, as amended, was retitled GENERAL ORDINANCE NO. 81, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1999

PROPOSAL FOR A GENERAL ORDINANCE to amend the fee schedule for copies of public records made by the city or county.

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

SECTION 1. Section 131-101 of the "Revised Code of the Consolidated City and County," regarding fees for copies of public records, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 131-101. Copies of public records; fee schedule.

Pursuant to the provisions of IC ~~5-14-3-1 et seq.~~ 5-14-3-8, the following fee schedule is hereby established for copies of public records made by the city, the county, and each of their departments and agencies, and township assessors:

- (1) For standard-sized photocopies, the fee shall be ~~fifty cents (\$0.50) for the first page and six cents (\$0.06)~~ four cents (\$0.04) for each ~~additional page copied pursuant to the same request, and~~
- (2) For copies produced in any format other than standard-sized photocopies, including but not limited to over-sized paper, computer tapes, disks, CD's, or microfilm, the fee shall be equal to the ~~actual cost of copying the record~~ direct cost of supplying the information in that form, or the standard cost for selling the same information to the public in the form of a publication if the city, county, department or agency has published the information and made the publication available for sale.

This fee schedule shall apply except in instances in which another fee is specified by statute or ordered by a court.

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 provision or 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 Ind. Code § 36-3-4-14.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 375 and 406-419, 1999 on June 30, 1999.

PROPOSAL NO. 375, 1999. The proposal, sponsored by Councillor Williams, authorizes parking restrictions on Vermont Street from Cleveland Street to East Street (District 22). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 375, 1999 was adopted on the following roll call vote; viz:

18 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Golc, Gray, Hinkle, Massie, McClamroch, Moriarty Adams, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

3 NOT VOTING: Dowden, Gilmer, O'Dell

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 375, 1999 was retitled **GENERAL ORDINANCE NO. 82, 1999**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated, and Sec. 621-126, Parking time restricted on designated days.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

TWO HOURS

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

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-126, Parking time restricted on designated days, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS
ON ANY DAY EXCEPT SATURDAY OR SUNDAY
From 6:00 a.m. to 6:00 p.m.

Vermont Street, on the north side, from Cleveland Street to East Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Vermont Street, on the north side, from Alabama Street to Cleveland Street

SECTION 4. 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. 406-417, 1999 together. Consent was given.

PROPOSAL NO. 406, 1999. The proposal, sponsored by Councillor Coughenour, authorizes multi-way stops for the Perry Manor Neighborhood (District 24). PROPOSAL NO. 407, 1999. The proposal, sponsored by Councillor Hinkle, authorizes intersection controls for Westridge Village, Section 2 (District 18). PROPOSAL NO. 408, 1999. The proposal, sponsored by Councillor Smith, authorizes intersection controls for Bel Moore Subdivision, Section 2 (District 23). PROPOSAL NO. 409, 1999. The proposal, sponsored by Councillor Smith, authorizes intersection controls for Southern Springs, Sections 1, 2, and 3 (District 23). PROPOSAL NO. 410, 1999. The proposal, sponsored by Councillor Borst, authorizes intersection controls for Creekbend Subdivision, Sections 1 and 2 (District 25). PROPOSAL NO. 411, 1999. The proposal, sponsored by Councillor Dowden, authorizes intersection controls for Allison Commons, Section 2 (District 4). PROPOSAL NO. 412, 1999. The proposal, sponsored by Councillor Dowden, authorizes intersection controls for Allison Heights, Section 2 (District 4). PROPOSAL NO. 413, 1999. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Eagles Landing, Sections 1, 2, and 3 (District 1). PROPOSAL NO. 414, 1999. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Fieldstone at Twin Creeks, Sections 3 and 4 (District 1). PROPOSAL NO. 415, 1999. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Brookstone at Twin Creeks, Sections 2 and 3 (District 1). PROPOSAL NO. 416, 1999. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Bayswater at Eagle Creek, Sections 3 and 4 (District 1). PROPOSAL NO. 417, 1999. The proposal, sponsored by Councillor Massie, authorizes a multi-way stop at Grube Street and Linden Drive located in Southgate Farms Subdivision (District 20).

By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Massie, for adoption. Proposal Nos. 406-417, 1999 were adopted on the following roll call vote; viz:

20 YEAS: *Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford*

0 NAYS:

1 NOT VOTING: *Gray*

7 ABSENT: *Black, Borst, Moores, Short, Smith, Talley, Williams*

Proposal No. 406, 1999 was retitled GENERAL ORDINANCE NO. 83, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
40	Bryan Dr, Locust Dr	Bryan Dr	Stop
40	Busy Bee Ln, Minlo Dr, Rural Dr		Stop
40	Banta Rd Marburn Dr	Banta Rd	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
40	Bryan Dr, Locust Dr	None	All Way Stop
40	Bryan Dr, Payne Rd	None	All Way Stop
40	Busy Bee Ln, Minlo Dr, Rural Dr	None	All Way Stop
40	Banta Rd Marburn Dr	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. 407, 1999 was retitled GENERAL ORDINANCE NO. 84, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
22	Caro Dr, Koefoot Dr	Koefoot Dr	Stop
22	Caro Dr, Thousand Oaks Ln	Thousand Oaks Ln	Stop
22	Koefoot Dr, Thousand Oaks Dr	Thousand Oaks Dr	Stop
22	Koefoot Dr, Thousand Oaks Ln	Thousand Oaks Ln	Stop
22	Thousand Oaks Dr, Thousand Oaks Ln	Thousand Oaks Dr	Stop

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

Proposal No. 408, 1999 was retitled GENERAL ORDINANCE NO. 85, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
48	Bel Moore Blvd, Bel Moore Cir	Bel Moore Blvd	Stop
48	Bel Moore Blvd, Samuel Dr	Samuel Dr	Stop
48	Bel Moore Cir, Fendler Dr	Bel Moore Cir	Stop
48	Five Points Rd, Samuel Dr	Five Points Rd	Stop

July 19, 1999

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

Proposal No. 409, 1999 was retitled GENERAL ORDINANCE NO. 86, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
47	Arlington Av, Southern Springs Av	Arlington Av	Stop
47	Pleasant Tree Ct, Southern Springs Dr	Southern Springs Dr	Yield
47	Southern Springs Blvd, Southern Springs Av	Southern Springs Blvd	Stop
47	Southern Springs Blvd, Southern Springs Cir	Southern Springs Blvd	Yield
47	Southern Springs Blvd, Southern Springs Ct	Southern Springs Blvd	Yield
47	Southern Springs Blvd, Southern Springs Dr	Southern Springs Blvd	Stop
47	Southern Springs Blvd, Stop 11 Rd	Stop 11 Rd	Stop
47	Southern Springs Dr, Southern Springs Ln	Southern Springs Dr	Stop
47	Southern Springs Ln, Southern Springs Way	Southern Springs Way	Stop

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

Proposal No. 410, 1999 was retitled GENERAL ORDINANCE NO. 87, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
38	Creekbank Dr, Creekbend Blvd	Creekbank Dr	Stop
38	Creekbank Dr, Creekbend Ln	Creekbend Ln	Stop
38	Creekbend Blvd, Creekbend Ct	Creekbend Blvd,	Yield
38	Creekbend Blvd, Creekbend Ln	Creekbend Blvd	Stop
38	Creekbend Blvd, Edgewood Av	Edgewood Av	Stop
38	Creekbend Cir, Creekbend Ln	Creekbend Ln	Yield

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

Proposal No. 411, 1999 was retitled GENERAL ORDINANCE NO. 88, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Allisonville Rd, Periwinkle Way	Allisonville Rd	Stop
12	Fen Ct, Periwinkle Way	Periwinkle Way	Yield
12	Periwinkle Way, Rundle Ct	Periwinkle Way	Yield

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

Proposal No. 412, 1999 was retitled GENERAL ORDINANCE NO. 89, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

July 19, 1999

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Mead Dr, Periwinkle Ln	Periwinkle Ln	Stop

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

Proposal No. 413, 1999 was retitled GENERAL ORDINANCE NO. 90, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 90, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
15	Airport Dr, Eagles Landing Blvd	Airport Dr	Stop
15	Bluebird Ct, Eagles Landing Blvd	Eagles Landing Blvd	Yield
15	Buttonbush Ct, Eagles Landing Blvd	Eagles Landing Blvd	Yield
15	Eagles Landing Blvd, Hawks Landing Pl	Eagles Landing Blvd	Stop
15	Eagles Landing Blvd, Kinglet Ct	Eagles Landing Blvd	Yield
15	Eagles Landing Blvd, Waterthrush Dr	Eagles Landing Blvd	Stop
15	Eagles Landing Blvd, Wood Duck Ct	Eagles Landing Blvd	Yield
15	Goshawk Ct, Hawks Landing Pl	Hawks Landing Pl	Yield
15	Hawks Landing Pl, Kestrel Ct	Hawks Landing Pl	Yield
15	Waterlilly Ct, Waterthrush Dr	Waterthrush Dr	Yield

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

Proposal No. 414, 1999 was retitled GENERAL ORDINANCE NO. 91, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 91, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
9	Brookstone Way, Stonecreek Dr	Brookstone Way	Stop
9	Robinsrock Ln, Stonecreek Dr	Robinsrock Ln	Stop

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

Proposal No. 415, 1999 was retitled GENERAL ORDINANCE NO. 92, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
9	Brookstone Ct, Sagewood Ct, Creeks Crossing	Creeks Crossing	Stop
9	Brookstone Ln, Creeks Crossing	Creeks Crossing	Stop

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

Proposal No. 416, 1999 was retitled GENERAL ORDINANCE NO. 93, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
15	Austral Dr, Stanhope Way	Stanhope Way	Stop
15	Austral Dr, Tufton Dr	Austral Dr	Stop
15	Bayswater Blvd, Kinnerton Dr	Bayswater Blvd	Stop
15	Bayswater Blvd, Stanhope Dr	Bayswater Blvd	Stop
15	Bayswater Blvd, Stanhope Way	Bayswater Blvd	Stop

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

Proposal No. 417, 1999 was retitled GENERAL ORDINANCE NO. 94, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
46	Grube St Linden Dr	Linden Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, 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>
46	Grube St Linden Dr	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. 418, 1999. The proposal, sponsored by Councillor O'Dell, authorizes parking restrictions on Emerson Avenue near Brookville Road (Districts 13, 15). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 418, 1999 was adopted on the following roll call vote; viz:

19 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

2 NOT VOTING: Gray, Hinkle

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 418, 1999 was retitled GENERAL ORDINANCE NO. 95, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, 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 "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Emerson Avenue, on the east side, from Brookville Road to a point 100 feet north of Brookville Road

Emerson Avenue, on the west side, from Brookville Road, to a point 180 feet north of Brookville Road

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

PROPOSAL NO. 419, 1999. The proposal, sponsored by Councillor Schneider, authorizes a change in the speed limit on River Road and Brandt Road (District 3). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 419, 1999 was adopted on the following roll call vote; viz:

19 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

0 NAYS:

2 NOT VOTING: Gray, Hinkle

7 ABSENT: Black, Borst, Moores, Short, Smith, Talley, Williams

Proposal No. 419, 1999 was retitled GENERAL ORDINANCE NO. 96, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-323, Alteration of prima facie speed limits.

July 19, 1999

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the deletion of the following, to wit:

35 MPH

River Road, from Bazaar Road to Brandt Road

Brandt Road, from River Road to 96th 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 Cockrum stated that the Scarborough/Indianapolis Peace Games will be held this weekend, July 23-25, 1999 in Scarborough, Canada.

Councillor Boyd stated that when Scarborough Council member Frank Faubert passed away, members of the Indianapolis Council flew to Canada to be at his funeral, and that when Councillor Jones passed away, two of Scarborough's Council members were present at his funeral. He stated that this is an indication of the bond that has formed between these two sister cities.

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) Councillors Coughenour and McClamroch in memory of Philo Lange and Kathryn Starnes;
and
- (2) Councillors Bradford, SerVaas, Hinkle, and McClamroch in memory of Raymond Paschke;
and
- (3) All Councillors in memory of Frank Faubert; and
- (4) Councillors Dowden, Gilmer, Bradford, Boyd, SerVaas, and McClamroch in memory of
Chris C. Theofanis; and
- (5) Councillor Boyd in memory of Marha L. Harris and Daniel Eugene Carmon; and
- (6) Councillor Short in memory of Elizabeth Fairchild Wood; and
- (7) Councillor Moriarty Adams in memory of Patricia Striby; and
- (8) Councillor Bradford in memory of Gary Anker.

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 Philo Lange, Kathryn Starnes, Raymond Paschke, Frank Faubert, Chris C. Theofanis, Marha L. Harris, Daniel Eugene Carmon, Elizabeth Fairchild Wood, Patricia Striby, and Gary Anker. 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 8:33 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-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 19th day of July, 1999.

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



President

ATTEST:



Clerk of the Council

(SEAL)