

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

**REGULAR MEETINGS
MONDAY, JULY 23, 1990**

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 7:15 p.m. on Monday, July 23, 1990, with Councillor SerVaas presiding.

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

ROLL CALL

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

26 PRESENT: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
3 ABSENT: Cottingham, Giffin, Golc

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Schneider introduced his son-in-law, William D. Clem, and his two granddaughters, Kristen and Michelle.

OFFICIAL COMMUNICATIONS

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

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

Journal of the City-County Council

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, July 23, 1990, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

June 28, 1990

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, June 29, 1990, a copy of LEGAL NOTICE on General Ordinance No. 66, 1990.

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

July 10, 1990

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, July 12, 1990, the following:

1) a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 345, 387, 388, 389, 390, 391, 392, 393 and 394, 1990, and

2) a copy of NOTICE TO TAXPAYERS of a Public Meeting whereby action will be taken on Proposal Nos. 360, 361 and 362, 1990,

to be held on Monday, July 23, 1990, at 7:00 p.m., in the City-County Building.

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

June 29, 1990

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 57, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Thirty-one Thousand Forty-three (\$31,043) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Administration, and reducing certain other appropriations and the unappropriated and unencumbered balance in the Consolidated County Fund.

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FISCAL ORDINANCE NO. 58, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One hundred Seventy-nine Thousand Two Hundred Thirty-seven Dollars (\$179,237) in the County General Fund for purposes of the various agencies listed and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 59, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One hundred Twenty-nine Thousand Five Hundred Forty Dollars (\$129,540) in the City General Fund for purposes of the Department of Administration, Office of the Director, and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 60, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Twenty-nine Thousand Dollars (\$29,000) in the City General Fund for purposes of the Department of Administration, Director's Office and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 61, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Sixteen Thousand Six Hundred Fifty-three Dollars (\$116,653) in the Home Detention Fund for purposes of the County Auditor and the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Community Correction Home Detention Fund.

FISCAL ORDINANCE NO. 62, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Sixteen Thousand Three Hundred Eighty-nine Dollars (\$16,389) in the Home Detention Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Community Correction Home Detention Fund.

FISCAL ORDINANCE NO. 63, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Six Hundred Ninety Thousand Four Hundred Forty-six Dollars (\$690,446) in the State and Federal Grants Fund for purposes of the County Auditor and the Marion County Community Corrections Agency thereby reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 64, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Thirty-two Thousand Five Hundred Dollars (\$32,500) in the County General Fund for purposes of the County Sheriff and County Auditor and reducing certain other appropriations for those departments.

FISCAL ORDINANCE NO. 65, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) and appropriating an additional Fifty-five Thousand Dollars (\$55,000) in the County Extradition Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County Extradition Fund.

FISCAL ORDINANCE NO. 66, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) and appropriating an additional Two Hundred Forty-eight Thousand Three Hundred Eighty-seven Dollars (\$248,387) in the County Corrections Fund for purposes of the County Auditor, County Sheriff, Marion County Community Corrections Agency and Marion County Justice Agency by reducing the unappropriated and unencumbered balance in the County Corrections Fund.

FISCAL ORDINANCE NO. 67, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) and appropriating an additional Four Thousand Four Hundred Ninety-six Dollars (\$4,496) in the County Grants Fund for purposes of the Superior Court, Juvenile Division and reducing the unappropriated and unencumbered balance in the County Grants Fund.

FISCAL ORDINANCE NO. 68, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Ninety Thousand Dollars (\$90,000) in the Consolidated County Fund for purposes of the Department of Public Safety Animal Control Division thereby reducing certain other appropriations for that department, and by reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 69, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Three Hundred Thousand Dollars (\$300,000) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Public Works, Office of the Director and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

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FISCAL ORDINANCE NO. 70, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Sixty-three Thousand Two Hundred Ninety-three Dollars (\$63,293) in the Transportation Fund for purposes of the Department of Transportation, Finance & Administration Division, and reducing the unappropriated and unencumbered balance in the Transportation Fund.

FISCAL ORDINANCE NO. 71, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Six Hundred Sixty-four Thousand One Hundred Thirteen Dollars (\$664,113) in the Transportation General Fund for purposes of the Department of Transportation, Operations Division, Development Division and Finance & Administration Division and reducing certain other appropriations for that department.

FISCAL ORDINANCE NO. 72, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Consolidated County Fund for purposes of the Department of Administration, Purchasing Division and reducing certain other appropriations for that department.

FISCAL ORDINANCE NO. 73, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Three Thousand Six Hundred Seventy-nine Dollars (\$3,679) in the County General Fund for purposes of the Superior Court Criminal Division, Room Six, and reducing certain other appropriations for that Court.

GENERAL ORDINANCE NO. 78, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 79, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 80, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 81, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-136, Alteration of prima facie speed limits.

SPECIAL ORDINANCE NO. 6, 1990, authorizing the City of Indianapolis to issue Economic Development Revenue Bond, Series 1990 (Mobile Drilling Company, Inc. Project) in the principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000), and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 7, 1990, re-establishing the Indianapolis Cumulative Capital Development Fund.

SPECIAL ORDINANCE NO. 8, 1990, re-establishing the Marion County Cumulative Capital Development Fund.

GENERAL RESOLUTION NO. 4, 1990, authorizing the Marion County Community Corrections Agency ("Agency") to contract with Volunteers of America ("Contractors") to obtain the professional services of a Contractor to provide a residential community corrections program for eligible offenders.

SPECIAL RESOLUTION NO. 37, 1990, authorizing the purchase of .78 acre of property at 1002 Kentucky Avenue from Parkway Realty Corporation for use as a site for a fire station by the Indianapolis Fire Department.

Respectfully,
s/William H. Hudnut, III
William H. Hudnut, III

ADOPTION OF THE AGENDA

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

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APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journals of June 11 and June 25, 1990. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 449, 1990. This proposal concerns vacant properties. Councillor Strader read the resolution and stated that the proposal establishes a task force which will consider ways the city can more efficiently address the problem of vacant lots and houses that are not properly maintained.

Councillors Williams, Irvin, Howard, Coughenour, Jones, and West voiced their support for this proposal.

Councillor Coughenour moved, seconded by Councillor Strader, to amend the proposal by having the President of the Council appoint members to an ad hoc committee, instead of having the Director of the Department of Public Works appoint members to a task force. This motion passed by a unanimous voice vote.

Councillor Strader moved, seconded by Councillor Jones, for adoption. Proposal No. 449, 1990, as amended, was adopted by unanimous voice vote.

Proposal No. 449, 1990, as amended, was retitled SPECIAL RESOLUTION NO. 38, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1990

A SPECIAL RESOLUTION concerning vacant properties.

WHEREAS, Indianapolis has good reason to pride itself on being a clean and attractive city; and

WHEREAS, this community has taken many positive approaches to foster an attractive and healthy physical environment, and has even won national attention for its efforts; and

WHEREAS, it is now time to progress to the next level of sophistication by focusing attention upon the longstanding frustration of unattended vacant lots and boarded up houses, and the related health, crime, appearance and economic impact problems that result in an unfair and unjust impact upon neighbors of such neglected property; 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 feels that people who work hard to maintain their property are unfairly discriminated against by those who allow their property in the neighborhoods to be unattended, unsightly, unhealthy and abettors of crime, arson and neighborhood decay.

SECTION 2. Such property is frequently owned by speculators, absentee owners, out-of-town owners and by complicated estate settlements.

SECTION 3. The Council asks the President of the Council to cause to be created, staffed and nurtured an ad hoc committee which is charged to research the magnitude and severity of the problem, to hear facts and opinions from interested parties, to search for innovative approaches from other communities and to prepare a report of its findings and recommendations.

SECTION 4. Task force membership and testimony should draw upon a wide variety of expertise from such public agencies as legal, metropolitan development, environmental court, public safety and the health department, and from private sector entities such as the local landlord's association, interested and affected individuals, neighborhood associations, and representatives from any other aspect of this problem.

SECTION 5. The task force shall operate under the authority and auspices of the Indianapolis Department of Public Works; shall set September 14, 1990 as a goal for a final report of its findings; and, shall submit its report to the Mayor and to the Council's Public Works Committee, with a full report, or an executive briefing summary, to all members of the Council.

SECTION 6. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 420, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Rudy Hightower to the Equal Opportunity Advisory Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 421, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving the issuance and sale to The Indianapolis Local Public Improvement Bond Bank of Notes of the Public Safety Communications and Computer Facilities District in an amount not to exceed \$7,500,000 for the purpose of procuring funds needed to pay the costs of a computer-aided dispatch system and a radio system and appropriating the proceeds of the Notes"; and the President referred it to the Administration Committee.

PROPOSAL NO. 422, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance and sale of bonds by the Board of Commissioners for the purpose of making a loan to procure funds necessary to be advanced to Center Township for poor relief purposes and appropriating the proceeds of such bonds"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 423, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$1,000 for the Perry Township Assessor for supplies"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 424, 1990. Introduced by Councillor Strader. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$5,587,000 in the County General Fund for the County Commissioners to loan the County Department of Public Welfare to cover expenses for the remainder of the year, which loan will be repaid in 1991 through a debt service levy, and appropriating such amount for purposes of the County Department of Public Welfare"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 425, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$53,000 for the Prosecutor from the Adult Protective Services Grant for the 1990-91 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 426, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$125,000 in the Prosecutor's Diversion Fund for the Prosecutor for various law enforcement programs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 427, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$7,800 for Superior Court No. 5, Civil Division, to purchase 2 computers, 1 laser printer and miscellaneous computer equipment in order to fully access and utilize JUSTIS II"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 428, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$275,000 in the Law Enforcement Fund for the Justice Agency to purchase additional equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 429, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$35,000 in the Law Enforcement Fund for the Justice Agency to cover anticipated costs for a new drug court in the City-County Building"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 430, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$61,000 in the Law Enforcement Fund for the Justice Agency to purchase additional items of equipment for the Metro Drug Task Force"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 431, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$67,000 for the Justice Agency/Sheriff's Department to contract with Riverside Community Control to provide bedspace for weekend commitments"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 432, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Section 29-405 and 29-409, which would ban skateboards from sidewalks and parking lots"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 433, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing the Community Corrections Advisory Board to contract for professional services for the Community Corrections' jail component diagnostic testing program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 434, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing the Community Corrections Advisory Board to contract for professional services for the Community Corrections' jail component substance abuse treatment program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 435, 1990. Introduced by Councillor Holmes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, specifically Section 17 1/2-30, Litter, Maintenance of Property"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 436, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Post Road and Rawles Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 437, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Allison Pointe and 82nd Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 438, 1990. Introduced by Councillor Solenberg. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at East County Line Road and 75th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 439, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Windsong and South Creek Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 440, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 441, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in speed limit on segments of Oaklandon Road and Westfield Boulevard"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 442, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on a segment of Oriental Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 443, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a parking meter zone on Massachusetts Avenue between Delaware Street and College Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 444, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on a segment of Norwaldo Avenue, north of Northgate Street"; and the President referred it to the Transportation Committee.

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PROPOSAL NO. 445, 1990. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on a segment of East Riverside Drive, between 16th and 30th Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 446, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Allison Avenue Between 34th Street and Ruskin Place; Dunk Drive between 34th Street and Moller Road; and Ruskin Place between Moller Road and Allison Avenue"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 447, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes procedures for granting District Chilled Water Systems franchises and authorizing the Department of Transportation to negotiate, but not execute or grant, a district chilled water system franchise"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 448, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, granting a District Chilled Water System Franchise, and authorizing the execution of a contract for said franchise"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 471, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to authorize the Department of Transportation to issue permits to a district chilled water franchise holder"; and the President referred it to the Rules and Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 417, 1990. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 417, 1990, on June 27, 1990. The proposal amends City-County Special Resolution No. 48, 1989, as amended, to extend expiration date on inducement resolution to Diversified Systems, Inc. to February 28, 1991. 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 Ruhmkorff, for adoption. Proposal No. 417, 1990, was adopted on the following roll call vote; viz:

22 YEAS: Borst, Brooks, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

0 NAYS:

4 NOT VOTING: Boyd, Clark, Hawkins, Rhodes

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 417, 1990, was retitled SPECIAL RESOLUTION NO. 39, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1990

A SPECIAL RESOLUTION amending City-County Special Resolution No. 48, 1989, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 48, 1989, as amended, (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Diversified Systems, Inc. (the "Company") which Inducement Resolution set an expiration date of July 31, 1990 unless the economic development revenue bonds for the Project had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; 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 finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of July 31, 1990 contained therein and replacing said date with the date of February 28, 1991.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 418, 1990. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 418, 1990, on June 27, 1990. The proposal approves a First Amendment to Financing Documents for Shepard & Poorman Investments relating to previously-issued City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 B, originally issued in the principal amount of \$1,000,000 dated as of November 1, 1982 and approving and authorizing other actions in respect thereto. 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 Gilmer, for adoption. Proposal No. 418, 1990, was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg, Strader, West

0 NAYS:

2 NOT VOTING: Shaw, Williams

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 418, 1990, was retitled SPECIAL ORDINANCE NO. 9, 1990, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1990

A SPECIAL ORDINANCE approving a First Amendment to Financing Documents for Shepard and Poorman Investments relating to previously-issued City of Indianapolis Economic Development First Mortgage Revenue bonds, Series 1982 B, originally issued in the principal amount of \$1,000,000 dated as of November 1, 1982 and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code, Title 36, Article 7, Chapters 11.9 and 12, as supplemented and amended (the "Act"), authorizes and empowers the Issuer to issue revenue bonds and loan the proceeds therefrom to an individual or entity for the purpose of financing the costs of acquisition, construction, installation and equipping

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of economic development facilities and vests such Issuer with powers that may be necessary to enable it to accomplish such purposes; and

WHEREAS, in order to fund a loan under the Loan Agreement, Mortgage and Security Agreement dated as of November 1, 1982 (the "Original Loan Agreement") between the City of Indianapolis, Indiana (the "Issuer") and Shepard and Poorman Investments, a general partnership duly organized under the laws of the State of Indiana (the "Company"), the Issuer issued its Economic Development First Mortgage Revenue Bonds, Series 1982 A (Shepard & Poorman Investments Project) (the "Series 1982 A Bonds") in the aggregate principal amount of \$800,000 and its Economic Development First Mortgage Revenue Bonds, Series 1982 B (Shepard & Poorman Investments Project) (the "Series 1982 B Bonds") in the aggregate principal amount of \$1,000,000, each series pursuant to the Trust Indenture dated as of November 1, 1982 (the "Original Indenture") between the Issuer and INB National Bank (f/k/a The Indiana National Bank), as Trustee (the "Trustee") and loaned the proceeds of the Series 1982 A Bonds and the Series 1982 B Bonds to the Company pursuant to the Original Loan Agreement to provide a portion of the funds necessary to finance an Economic Development Facility (as defined in the Act); and,

WHEREAS, pursuant to the terms of the Original Indenture a trust fund designated as the "City of Indianapolis, Indiana, Economic Development Revenue Bond Reserve Fund (Shepard & Poorman Investments Project)" (the "Reserve Fund") was established, and the moneys therein were to be used to pay any deficiencies in payment on the Series 1982 B Bonds in the event that there were insufficient moneys in the Bond Fund for that purpose on June 30 and December 1 of each year when payments are due on the Series 1982 B Bonds; and

WHEREAS, the Company, the Trustee, and the owner of the Series 1982 B Bonds, The Cincinnati Insurance Company (the "Bondholder"), have agreed to terminate the \$150,000 Reserve Fund and to substitute in lieu of the same an irrevocable letter of credit of INB National Bank in the amount of \$150,000 for the direct benefit of The Cincinnati Insurance Company; and

WHEREAS, subject to the consent of the Bondholder, in order to effect the aforesaid substitution the Trustee and Issuer propose to execute and deliver a First Amendment To Trust Indenture (the "First Amendment to Indenture") amending the Original Indenture and the Company and Issuer propose to execute and deliver a First Amendment to Loan Agreement, Mortgage and Security Agreement (the "First Amendment to Loan Agreement"); and

WHEREAS, all other terms of the Original Loan Agreement and Original Trust Indenture will remain in full force and effect; and

WHEREAS, the Indianapolis Economic Development Commission on June 27, 1990 adopted a Resolution which Resolution has been previously transmitted hereto, finding that the proposed amendments comply with the purposes and provisions of the Act and that such will be of benefit to the health or general welfare of the Issuer and his citizens; and,

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the 1) First Amendment to Indenture and 2) First Amendment to Loan Agreement (hereinafter referred to collectively as the "First Amendment to Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto and recommended a proposed form of Special Ordinance; now, therefore:

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

SECTION 1. It is hereby found that the execution of the First Amendment to Financing Documents 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 form of the First Amendment to Financing Documents presented to this Council are hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the First Amendment to Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Financing Documents approved herein and any other document which may be necessary or desirable to consummate the transaction only after the Bondholder has consented to the First Amendment to Financing Documents, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the First Amendment to Financing Documents approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further

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

SECTION 4. The provisions of this ordinance and the First Amendment to Financing Documents shall constitute a contract binding between the Issuer and the parties to the First Amendment to Financing Documents, and after the execution of the First Amendment to Financing Documents, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of any such party so long as said First Amendment to Financing Documents shall remain in effect.

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

PROPOSAL NO. 419, 1990. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 419, 1990, on June 27, 1990. The proposal approves and authorizes certain actions and proceedings with respect to certain proposed economic development bonds (Hurco Companies, Inc.). Councillor Schneider explained that this is a \$7,000,000 project and Hurco Companies, Inc. is a computer numerical control systems and machine tool manufacturing company. 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 Mukes-Gaither, for adoption. Proposal No. 419, 1990, was adopted on the following roll call vote; viz:

25 YEAS: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Irvin, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

0 NAYS:

1 NOT VOTING: Jones

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 419, 1990, was retitled SPECIAL RESOLUTION NO. 40, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1990

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

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

WHEREAS, Hurco Companies, Inc., an Indiana corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of a computer numerical control systems and machine tools manufacturing plant containing approximately 140,000 square feet which will be located in Marion County, Indiana on approximately 8 to 14 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction, installation, and equipping of various site improvements at the facility (the "Project").

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately twenty-two (22) after one (1) year and forty (40) after three (3) years) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

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WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect on similar facilities already constructed or operating in the Issuer; now therefore;

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

SECTION 1. It finds, determines, ratifies and confirms that the promotion of diversification of industry, the creation of business opportunities and the creation of opportunities for gainful employment (an additional number of jobs of approximately twenty-two (22) after one (1) year and forty (40) after three (3) years) in the Issuer, is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that said Issuer take such action as it lawfully may to encourage diversification of industry, the creation of business opportunities and the creation of opportunities for gainful employment in the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Dollars (\$7,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires February 28, 1991 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (ii) it will adopt such resolution and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted and (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and (3) no portion of such private activity bond limit has been guaranteed for the proposed project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (provided that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the adoption of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 450, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 20, 1990. The Council did not schedule Proposal No. 450, 1990, for hearing pursuant to IC 36-7-4-608. Proposal No. 450, 1990, was retitled REZONING ORDINANCE NO. 123, 1990, and is identified as follows:

REZONING ORDINANCE NO. 123, 1990 90-Z-59 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

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7611 SOUTH MERIDIAN STREET, INDIANAPOLIS.

PERRY TOWNSHIP TRUSTEE requests the rezoning of 0.43 acre, being in the SU-9 District, to the C-3 classification to provide for commercial uses within an existing building.

PROPOSAL NOS. 451-458, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 20, 1990. The Council did not schedule Proposal Nos. 451-458, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 451-458, 1990, were retitled REZONING ORDINANCE NOS. 124-131, 1990, and are identified as follows:

REZONING ORDINANCE NO. 124, 1990. 90-Z-84 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21

1112-1128 RIVER AVENUE, INDIANAPOLIS.

INDIANAPOLIS POWER AND LIGHT COMPANY requests the rezoning of 0.689 acre, being in the D-5 District, to the I-3-U classification to provide for the expansion of an employee parking lot serving an industrial use.

REZONING ORDINANCE NO. 125, 1990. 90-Z-94 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

165 MUESSING ROAD, INDIANAPOLIS.

JOHN K. AND JILL D. ENO request the rezoning of 9.89 acres, being in the D-A District, to the D-2 classification to provide for the development of a single-family residential subdivision.

REZONING ORDINANCE NO. 126, 1990. 90-Z-95 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 21

8209 SOUTH BELMONT STREET, INDIANAPOLIS.

ROBERT C. GAMMON requests the REZONING of 3 acres, being in the D-A District, to the D-1 classification to provide for the development of a single-family residential subdivision.

REZONING ORDINANCE NO. 127, 1990. 90-Z-102 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20

3302 SOUTH EAST STREET, INDIANAPOLIS.

INTERNATIONAL ASSOCIATES OF HEAT AND FROST INSULATORS & ASBESTOS UNION, by Raymond Good, requests the REZONING of 0.37 acre, being in the D-3 District, to the C-1 classification to provide for the development of an office building to be used as a union administrative office.

REZONING ORDINANCE NO. 128, 1990. 90-Z-103 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

2224 EAST COUNTY LINE ROAD SOUTH, INDIANAPOLIS.

KOPETSKY'S RED CARPET CARWASH, INC. requests the REZONING of 1.0 acre, being in the C-3 District, to the C-4 classification to legally establish an existing carwash.

REZONING ORDINANCE NO. 129, 1990. 90-Z-105 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 11

5801 EAST 30TH STREET, INDIANAPOLIS.

K.L. THOMAS AND ASSOCIATES, INC. requests the REZONING of 4.66 acres, being in the D-3 District, to the SU-1 classification to provide for the construction of a church.

REZONING ORDINANCE NO. 130, 1990. 90-Z-107 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

4124 SOUTH CASHARD AVENUE, INDIANAPOLIS.

PICKARD CUTTER GRINDING SERVICE INC. requests the REZONING of 1.44 acres, being in the D-3 District, to the I-2-S classification to provide for light industrial development.

REZONING ORDINANCE NO. 131, 1990. 90-Z-109 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

3716 NORTH SHADELAND ROAD, INDIANAPOLIS.

KOPETSKY'S RED CARPET CARWASH, INC. requests the REZONING of 0.75 acre, being in the D-3 District, to the C-4 classification to legally establish an existing carwash.

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PROPOSAL NOS. 459-470, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 20, 1990. The Council did not schedule Proposal Nos. 459-470, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 459-470, 1990, were retitled REZONING ORDINANCE NOS. 132-143, 1990, and are identified as follows:

REZONING ORDINANCE NO. 132, 1990. 89-Z-240-A WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

2490 NORTH POST ROAD (REAR), INDIANAPOLIS.

KITE PROPERTIES, INC., by Harry F. McNaught, Jr., requests the rezoning of 9 plus acres, being in the D-7 District, to the C-4 classification to provide for the development of a mixed use commercial center at an interstate highway interchange and as part of an adjoining business/industrial park now being developed.

REZONING ORDINANCE NO. 133, 1990. 89-Z-240-B WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

2490 NORTH POST ROAD, INDIANAPOLIS.

KITE PROPERTIES, INC., by Harry F. McNaught, Jr., requests the rezoning of 2.034 acres, being in the C-1 District, to the C-3 classification to permit mixed commercial uses as a part of an adjoining business/industrial park now being developed.

REZONING ORDINANCE NO. 134, 1990. 89-Z-240-C WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

2490 NORTH POST ROAD, INDIANAPOLIS.

KITE PROPERTIES, INC., by Harry F. McNaught, Jr. and Joseph M. Scimia, requests the rezoning of 4.828 acres, being in the C-4 District, to the C-6 classification to provide for the development of mixed-use commercial center at an interstate highway interchange and as part of an adjoining business/industrial park now being developed.

REZONING ORDINANCE NO. 135, 1990. 90-Z-60 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

6401 SOUTH EAST STREET, INDIANAPOLIS.

RICHARD A. GRIESEMER, by William F. LeMond, requests the REZONING of 9.970 acres, being in the C-S District, to the C-S classification to provide for commercial development to include the following uses: banks and savings and loan offices, governmental offices, professional offices and day care center.

REZONING ORDINANCE NO. 136, 1990. 90-Z-104 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

7420 NORTH COUNTY LINE ROAD, INDIANAPOLIS.

MSE CORPORATION requests the REZONING of 52.698 acres, being in the D-A and D-3 Districts, to the D-3 classification to provide for the development of single-family development by platting.

REZONING ORDINANCE NO. 137, 1990. 90-Z-108 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

10331 EAST 56TH STREET, INDIANAPOLIS.

HARRELL COHRON, by Thomas Michael Quinn, requests the REZONING of 4 acres, being in the D-A District, to the C-S classification to provide for the construction of self-storage warehouses.

REZONING ORDINANCE NO. 138, 1990. 90-Z-110, 90-DP-4 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

9202 NORTH COUNTY LINE ROAD, INDIANAPOLIS.

THE SHOREWOOD CORPORATION, by William F. LeMond, requests the REZONING of 45 acres, being in the D-P District, to the D-P classification to revise the preliminary approved plan from cluster housing and multi-family housing (4-6 units per acre in Area 19 and 6-8 units per acre in Area 20, respectively) to single-family housing in both Area 19 and Area 20 with a maximum of 1.9 units per acre by platting.

REZONING ORDINANCE NO. 139, 1990. 90-Z-112 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

2525 NORTH SHADELAND DRIVE (REAR), INDIANAPOLIS.

BROWNING-FERRIS INDUSTRIES, by Michael J. Kias, requests the REZONING of 1.11 acres, being in the C-S District, to the C-S classification to provide autoclave for the steam sterilization of medical waste.

REZONING ORDINANCE NO. 140, 1990. 90-Z-113 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 14

5916 BROOKVILLE ROAD, INDIANAPOLIS.

DAVID A. COMSTOCK, by Stephen D. Mears, requests the REZONING of 0.48 acre, being in the D-5 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 141, 1990. 90-Z-114 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
6530 SHELBYVILLE ROAD, INDIANAPOLIS.

JOSEPH A. THOMAS requests the REZONING of 4.575 acres, being in the D-A District, to the D-2 classification to provide for single-family development by platting.

REZONING ORDINANCE NO. 142, 1990. 90-Z-119 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
10608 EAST WASHINGTON STREET, INDIANAPOLIS.

ROBERT A. AND MARY S. DEROSE request the REZONING of 2.05 acres, being in the C-1 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 143, 1990. 90-Z-122 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16
2332-2360 NORTH ILLINOIS STREET, INDIANAPOLIS.

KENWOOD PLACE II, INC., by Jeffery D. Linton, requests the REZONING of 0.85 acre, being in the C-1/RC District, to the D-8/RC classification to provide for the development of a third phase of the Kenwood Place Project, consisting of 24 residential units in a three-story building.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 331, 1990. This proposal appropriates \$13,039 for the Soil and Water Conservation District Agency to hire an additional staff person. Councillor Holmes asked for consent to postpone Proposal No. 331, 1990, until the next Council meeting on August 6, 1990. Consent was given.

PROPOSAL NOS. 345 and 327, 1990. Councillor Coughenour stated that the Council instructed the Administration and Public Works Committees to hold a joint meeting to hear Proposal Nos. 345 and 327, 1990, and she asked that they be voted on together. PROPOSAL NO. 345, 1990. This proposal appropriates \$672,154 for the Department of Public Works, 24th Floor Administration, to pay for two floors of construction improvements at 129 East Market and to hire ten additional account representatives and two additional supervisors. PROPOSAL NO. 327, 1990. This proposal determines the lease of 8,043 square feet of office space located at 129 East Market Street for the Department of Administration and other city departments to be necessary. Councillor Rhodes reported that Proposal Nos. 345 and 327, 1990, were heard on July 5, 1990. By a 5-0 vote, the Public Works Committee reported Proposal No. 345, 1990, to the Council with the recommendation that it do pass. By a 7-0 vote, the Administration Committee reported Proposal No. 327, 1990, to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption of Proposal Nos. 345 and 327, 1990.

Councillor Schneider stated that, in his opinion, the Department of Public Works (DPW) should expand their offices into the various township trustee offices instead of the downtown area. Councillor Dowden suggested that DPW lease property that the Department of Administration owns at 10th and Post Road which could be rented for less than the 129 East Market Street Building. Councillors Durnil, Ruhmkorff and Strader spoke in opposition to leasing space in the 129 East Market Street building.

The President called for public testimony on Proposal No. 345, 1990, at 8:27 p.m. The following persons testified:

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Paul Neumeister, Jr., Indianapolis citizen, voiced his opposition to the proposals and stated that DPW should locate their offices outside the downtown area to save taxpayers money.

John McLain, Indianapolis citizen, stated that DPW should lease floors that would be less expensive per square foot than a first floor location.

Becky Hopewell spoke on behalf of the Indianapolis Chamber of Commerce which supports DPW's desire to move the 24th Floor Administration to larger quarters which will ultimately provide better service for their industrial customers.

Carl Moldthan, Indianapolis Taxpayers' Association, believes that a less expensive location could be found.

Proposal Nos. 345 and 327, 1990, were adopted on the following roll call vote; viz:

19 YEAS: *Borst, Boyd, Brooks, Coughenour, Curry, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Rhodes, SerVaas, Shaw, Solenberg, West, Williams*
6 NAYS: *Dowden, Durnil, McGrath, Ruhmkorff, Schneider, Strader*
1 NOT VOTING: *Clark*
3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 345, 1990, was retitled FISCAL ORDINANCE NO. 74, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City- County Fiscal Ordinance No. 88, 1989) appropriating an additional Six Hundred Seventy-two Thousand One Hundred Fifty-four Dollars (\$672,154)) in the Sanitation General Fund for purposes of the Department of Public Works, 24th Floor Administration and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, 24th Floor Administration, to (1) pay for the construction of the 1st and 2nd floor at 129 East Market, (2) purchase a phone system, (3) hire ten new account representatives, and two supervisors, and (4) offer longer service hours.

SECTION 2. The sum of Six Hundred Seventy-two Thousand One Hundred Fifty-four Dollars (\$672,154) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>24TH FLOOR ADMINISTRATION</u>	<u>SANITATION GENERAL FUND</u>
1. Personal Services	\$173,065
3. Other Services and Charges	427,089
4. Capital Outlay	<u>72,000</u>
TOTAL INCREASE	\$672,154

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	<u>\$672,154</u>
TOTAL REDUCTION	\$672,154

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

Proposal No. 327, 1990, was retitled SPECIAL RESOLUTION NO. 42, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1990

A SPECIAL RESOLUTION determining the lease of 8,043 square feet of office space located at 129 East Market Street, Indianapolis, Indiana, for the Department of Administration and other City departments to be necessary.

WHEREAS, the city leases certain space at 129 East Market Street from "129 Market Associates, Ltd.," an Indiana limited partnership owned 90% by Robert Cass, 5% by Greg Hahn and 5% by Howard Feist, and

WHEREAS, the city wishes to amend that lease and to include additional space; 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, pursuant to IC 36-1-10-7, has investigated the conditions requiring the proposed lease of 8,043 square feet of office space and hereby determines that said lease of office space for the use of the Department of Administration and other City departments is necessary.

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

Councillor Williams asked for consent to explain her vote. Consent was given. Councillor Williams stated that she voted for both these proposals even though, in her opinion, the rent is too high; consequently, she believes it is time to start planning on constructing a second city-county building.

PROPOSAL NO. 387, 1990. Councillor Strader asked for consent for the Whole Committee to convene to hear Proposal No. 387, 1990, at this time because, due to a clerical error, Cooperative Extension Service was not notified of the June 27, 1990 committee hearing on this proposal. Consent was given. The Whole Committee convened at 8:29 p.m.

This proposal appropriates \$2,256 for the Cooperative Extension Service to participate in the State Student Summer Assistance Program. Dan Fleming, Cooperative Extension Service Youth Program Director, informed the Council members that this money would be used to hire students during the summer months who are on Police Athletic League (PAL) grants.

President SerVaas stated that the City-County Council was back in session.

The President called for public testimony at 8:30 p.m. Councillor Strader moved, seconded by Councillor Clark, for adoption. Proposal No. 387, 1990, was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West*

0 NAYS:

3 NOT VOTING: *Hawkins, Schneider, Williams*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

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Proposal No. 387, 1990, was retitled FISCAL ORDINANCE NO. 75, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Thousand Two Hundred Fifty-Six Dollars (\$2,256) in the County General Fund for purposes of the Cooperative Extension Service and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (xx) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to participate in the State Student Summer Assistance Program.

SECTION 2. The sum of Two Thousand Two Hundred Fifty-Six Dollars (\$2,256) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$2,256</u>
TOTAL INCREASE	\$2,256

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$2,256</u>
TOTAL REDUCTION	\$2,256

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

PROPOSAL NO. 388, 1990. This proposal appropriates \$60,000 for the County Surveyor to acquire a Global Positioning System which is capable of surveying any point to better than a 1/4 of an inch. Councillor Holmes asked for consent to postpone Proposal No. 388, 1990, until the next Council meeting on August 6, 1990. Consent was given.

PROPOSAL NO. 389, 1990. Councillor Holmes, in Councillor Cottingham's absence, asked for consent for the Whole Committee to convene to hear Proposal No. 389, 1990. Consent was given and the Whole Committee convened at 8:32 p.m. This proposal appropriates \$26,292 for the Auditor, County Clerk, Coroner, Treasurer, Surveyor, Information Service Agency and County Healthcare Center to participate in the State Student Summer Assistance Program. This is the same State Student Summer Assistance Program which the Council just passed for the Cooperative Extension Service.

President SerVaas stated that the City-County Council was back in session.

The President called for public testimony at 8:33 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Clark, for adoption. Proposal No. 389, 1990, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

2 NOT VOTING: Hawkins, Ruhmkorff

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 389, 1990, was retitled FISCAL ORDINANCE NO. 76, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Twenty-Six Thousand Two Hundred Ninety-Two Dollars (\$26,292) in the County General Fund for purposes of the County Auditor, Clerk of the Circuit Court, County Coroner, County Treasurer, County Surveyor, Information Service Agency and Marion County Healthcare Center and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b), (d), (g), (i), (j), (k) and (l) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Clerk of the Circuit Court, County Coroner, County Treasurer, County Surveyor, Information Service Agency and Marion County Healthcare Center to participate in the State Student Summer Assistance Program.

SECTION 2. The sum of Twenty-Six Thousand Two Hundred Ninety-Two Dollars (\$26,292) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 3,375
<u>CLERK OF THE CIRCUIT COURT</u>	
1. Personal Services	10,125
<u>COUNTY CORONER</u>	
1. Personal Services	2,250
<u>COUNTY TREASURER</u>	
1. Personal Services	2,475
<u>COUNTY SURVEYOR</u>	
1. Personal Services	2,367
<u>INFORMATION SERVICE AGENCY</u>	
1. Personal Services	4,500
<u>MARION COUNTY HEALTHCARE CENTER</u>	
1. Personal Services	<u>1,200</u>
 TOTAL INCREASES	 \$26,292

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$26,292</u>
TOTAL REDUCTION	<u>\$26,292</u>

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

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PROPOSAL NO. 390, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 390, 1990, on June 27, 1990. The proposal appropriates \$4,730 for the Child Support IV-D Agency, Superior Court-Criminal Division-Room Two and Superior Court-Civil Division-Room One to participate in the State Student Summer Assistance Program. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:35 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 390, 1990, was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West*

0 NAYS:

3 NOT VOTING: *Hawkins, Ruhmkorff, Williams*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 390, 1990, was retitled FISCAL ORDINANCE NO. 77, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Four Thousand Seven Hundred Thirty Dollars (\$4,730) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency, Superior Court-Criminal Division-Room Two and Superior Court-Civil Division-Room One and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (x), (ee) and (ll) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecutor's Child Support IV-D Agency, Superior Court-Criminal Division-Room Two and Superior Court-Civil Division-Room One to participate in the State Student Summer Assistance Program

SECTION 2. The sum of Four Thousand Seven Hundred Thirty Dollars (\$4,730) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTOR'S CHILD SUPPORT IV-D AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$3,038
 <u>SUPERIOR COURT-CRIMINAL DIVISION-ROOM TWO</u>	
1. Personal Services	1,092
 <u>SUPERIOR COURT-CIVIL DIVISION-ROOM ONE</u>	
1. Personal Services	<u>600</u>
 TOTAL INCREASES	\$4,730

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$4,730</u>
TOTAL REDUCTION	<u>\$4,730</u>

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

PROPOSAL NO. 391, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 391, 1990, on June 27, 1990. The proposal appropriates \$151,375 for the Community Corrections Agency to operate the Project Challenge Wilderness Survival Program for fiscal year 1990-91 funded by an Indiana Department of Corrections Grant. By a 4-2 vote, the Committee reported the proposal to the Council with no recommendation. Councillor Dowden stated that he voted against this proposal at the committee hearing, but since then he has received more information on the program and urged all the Council members to support this proposal. This program is for boys between the ages of 15 - 17 and is their "last chance" before they are sent to boys school. Both the boys and parents have to sign a contract before they enter this program.

Councillors Durnil and Clark voiced their opposition to spending this money on juvenile delinquents.

Councillors Howard and Schneider expressed their support for this program because of the parent involvement, community projects performed by the boys, and of the discipline demanded by the staff of the participants.

The President called for public testimony at 8:57 p.m.

James Payne, Presiding Judge of the Juvenile Court, urged the Council to support this program and said that there is about an 80-85% success rate with the program.

Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 391, 1990, was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Brooks, Coughenour, Curry, Dowden, Hawkins, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

5 NAYS: Borst, Clark, Durnil, Gilmer, Holmes

0 NOT VOTING:

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 391, 1990, was retitled FISCAL ORDINANCE NO. 78, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Fifty-One Thousand Three Hundred Seventy-Five Dollars (\$151,375) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grant 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 2.01 (aaa) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Community Corrections Agency to operate the Project Challenge Wilderness Survival Program for fiscal year 1990-91 funded by an Indiana Department of Corrections Grant.

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SECTION 2. The sum of One Hundred Fifty-One Thousand Three Hundred Seventy-Five Dollars (\$151,375) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS AGENCY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	\$ 89,042
2. Supplies	23,200
4. Capital Outlay	<u>19,250</u>
TOTAL INCREASE	\$131,492
<u>MARION COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>\$ 19,883</u>
TOTAL INCREASE	\$ 19,883
TOTAL INCREASES	\$151,375

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

	<u>STATE AND FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$151,375</u>
TOTAL REDUCTION	\$151,375

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

PROPOSAL NO. 392, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 392, 1990, on June 27, 1990. This proposal transfers and appropriates \$22,780 for the Justice Agency to pay Drug Use Forecasting Program staff as county employees instead of as independent contractors. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:58 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 392, 1990, was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Boyd, Brooks, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, Williams*

0 NAYS:

5 NOT VOTING: *Clark, Hawkins, Jones, Ruhmkorff, West*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 392, 1990, was retitled FISCAL ORDINANCE NO. 79, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Twenty-Two Thousand Seven Hundred Eighty Dollars (\$22,780) in the State and Federal Grant Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (cc) of the City-County Annual Budget for 1990, be and is hereby amended by the

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increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to pay Drug Use Forecasting Program staff as county employees instead of as independent contractors.

SECTION 2. The sum of Twenty-Two Thousand Seven Hundred Eighty Dollars (\$22,780) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	\$20,000
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>2,780</u>
 TOTAL INCREASES	 \$22,780

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
3. Other Services & Charges	<u>\$22,780</u>
TOTAL REDUCTION	<u>\$22,780</u>

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

PROPOSAL NO. 393, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 393, 1990, on June 27, 1990. This proposal appropriates \$7,697 for the Domestic Relations Counseling Bureau to change a part-time counselor to full-time. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:59 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 393, 1990, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Hawkins, Holmes, Howard, Irvin, McGrath, Moriarty, Mukes-Gaither, Schneider, SerVaas, Shaw, Solenberg, Strader, Williams*
1 NAY: *Durnil*
5 NOT VOTING: *Gilmer, Jones, Rhodes, Ruhmkorff, West*
3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 393, 1990, was retitled FISCAL ORDINANCE NO. 80, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seven Thousand Six Hundred Ninety-Seven Dollars (\$7,697) in the County General Fund for purposes of the Domestic Relations Counseling Bureau and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (tt) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Domestic Relations Counseling Bureau to change a part-time counselor to full-time.

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SECTION 2. The sum of Seven Thousand Six Hundred Ninety-Seven Dollars (\$7,697) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DOMESTIC RELATIONS COUNSELING BUREAU</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$7,697</u>
TOTAL INCREASE	\$7,697

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$7,697</u>
TOTAL REDUCTION	\$7,697

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

PROPOSAL NO. 394, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 394, 1990, on June 27, 1990. The proposal appropriates \$260 for the Domestic Relations Counseling Bureau to purchase supplies, which monies were donated by the Domestic Relations Counseling Service, Inc. By a 21-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:00 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 394, 1990, was adopted on the following roll call vote; viz:

21 YEAS: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Holmes, Howard, Irvin, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader

0 NAYS:

5 NOT VOTING: Hawkins, Jones, Rhodes, West, Williams

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 394, 1990, was retitled FISCAL ORDINANCE NO. 81, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Hundred Sixty Dollars (\$260) in the County Grants Fund for purposes of the Domestic Relations Counseling Bureau 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 2.01 (tt) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Domestic Relations Counseling Bureau to purchase supplies, which monies were donated by the Domestic Relations Counseling Service, Inc.

SECTION 2. The sum of Two Hundred Sixty Dollars (\$260) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DOMESTIC RELATIONS COUNSELING BUREAU

2. Supplies
TOTAL INCREASE

COUNTY GRANTS PROGRAM

\$260
\$260

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

Unappropriated and Unencumbered
County Grants Program
TOTAL REDUCTION

COUNTY GRANTS PROGRAM

\$260
\$260

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 162, 1990. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 162, 1990, on June 28, 1990. The proposal concerns the environment, and Councillor Irvin informed the Council that it is a program to plant one tree in honor of each child born to a Marion County resident. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Durnil moved, seconded by Councillor Irvin, for adoption. Proposal No. 162, 1990, was adopted on the following roll call vote; viz:

18 YEAS: Brooks, Coughenour, Curry, Durnil, Gilmer, Hawkins, Howard, Irvin, Jones, McGrath, Moriarty, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West

0 NAYS:

8 NOT VOTING: Borst, Boyd, Clark, Dowden, Holmes, Mukes-Gaither, Schneider, Williams

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 162, 1990, was retitled SPECIAL RESOLUTION NO. 41, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1990

A SPECIAL RESOLUTION concerning the environment.

WHEREAS, trees serve as a natural element of beauty, replenish oxygen in the air, prevent soil erosion, can serve as architectural and visual barriers, are psychologically soothing, and are habitats for birds and small animals, and

WHEREAS, there is a rising concern about the depletion of trees and forests throughout the world; and

WHEREAS, conservation, beautification, and reforestation can--and should--begin right here at home in Indianapolis; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes its responsibility and obligation to this city's environment, and resolves to immediately begin to take action.

SECTION 2. The Council charges the Indianapolis Department of Parks and Recreation with initiating a new program to plant a new tree within Marion County for each new baby born by a Marion County resident.

SECTION 3. These tree sapling plantings shall be dispersed as much as feasible and practical throughout the county.

SECTION 4. Indianapolis shall acknowledge to the newborn baby by a certificate that a tree was planted by the department in recognition of the new citizen of our community.

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SECTION 5. The Council additionally encourages Indianapolis citizens, clubs, churches, businesses, schools, and others to commence similar efforts to help make this great city even more healthful and beautiful by planting flowers, shrubs, trees and similar environmental enhancements.

SECTION 6. The Indianapolis Department of Parks and Recreation shall report upon the progress of this environmental initiative to the Council during the month of January, 1991.

SECTION 7. This Resolution shall expire December 31, 1991, unless specifically reauthorized by the Council.

SECTION 8. The Mayor is invited to join in this resolution by affixing his signature hereto.

PROPOSAL NO. 226, 1990. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 226, 1990, on June 28, 1990. The proposal transfers and appropriates \$35,000 for the Department of Parks, Eagle Creek Division, to provide a broader range of services through contractual management of its rowing programs. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Durnil moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 226, 1990, was adopted on the following roll call vote; viz:

20 YEAS: Borst, Boyd, Brooks, Coughenour, Curry, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West, 0 NAYS:

6 NOT VOTING: Clark, Dowden, Irvin, McGrath, Schneider, Williams

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 226, 1990, was retitled FISCAL ORDINANCE NO. 82, 1990, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Thirty-five Thousand Dollars (\$35,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Eagle Creek Division, and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Eagle Creek Division, to provide a broader range of services through contractual management of the rowing programs at Eagle Creek Park.

SECTION 2. The sum of Thirty-five Thousand Dollars (\$35,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown be in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS & RECREATION</u> <u>EAGLE CREEK DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services & Charges	\$35,000
TOTAL INCREASE	\$35,000

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

<u>DEPARTMENT OF PARKS & RECREATION</u> <u>EAGLE CREEK DIVISION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	\$27,000
2. Supplies	3,000
4. Capital Outlay	5,000
TOTAL REDUCTION	\$35,000

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

PROPOSAL NOS. 360 and 361, 1990. President SerVaas stated that unless there were objections, both these proposals would be voted on together. There were no objections. Councillor Borst reported that the Metropolitan Development Committee heard Proposal Nos. 360 and 361, 1990, on June 19, 1990. PROPOSAL NO. 360, 1990. The Metropolitan Development Commission Docket 90-AO-1, certified on June 8, 1990, amending Marion County Council Ordinance No. 8, 1957, as amended; by deleting all references to "agricultural zoning districts" in Sections 4 and 5 of the Adult Entertainment Business Zoning Ordinance, and adding the D-A, D-5II and D-6II dwelling district classifications to the definition of "residential zoning district" found in Section 4 of the ordinance. PROPOSAL NO. 361, 1990. The Metropolitan Development Commission Docket 90-AO-2, certified on June 8, 1990, amending Marion County Council Ordinance No. 8, 1957, by revising the Sign Regulation Zoning Ordinance by deleting all references to sign regulations and permit outdoor advertising signs in the D-A district, unless the lot is platted or recorded exclusively for single-family residential use and by deleting section 14-02-2 (2) ii (a), (b) and (c), addressing viewability of outdoor advertising signs in the D-A district. By a 6-0 vote, the Committee reported Proposal Nos. 360 and 361, 1990, to the Council with the recommendation that they do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 360 and 361, 1990, were adopted on the following roll call vote; viz:

22 YEAS: *Borst, Boyd, Brooks, Coughenour, Curry, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

4 NOT VOTING: *Clark, Dowden, Irvin, Schneider*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 360, 1990, was retitled GENERAL ORDINANCE NO. 82, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1990
DOCKET NO. 90-AO-1
THE ADULT ENTERTAINMENT BUSINESS
ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

AN ORDINANCE to amend the Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana, which ordinance includes the Adult Entertainment Business Zoning Ordinance, and fixing a time when the same shall take effect.

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

SECTION 1. The Adult Entertainment Business Zoning Ordinance of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 84-AO-4, pursuant to IC-36-7-4, be amended as follows:

That SECTION 4 and SECTION 5 of the Adult Entertainment Business Zoning Ordinance of Marion County, Indiana, be amended by deleting the cross-hatched language and inserting the under-scored language as follows:

anatomical areas for observation by patrons therein.

J. "Adult Service Establishment" shall mean any building, premises, structure or other facility, or any part thereof, under common ownership or control which provides a preponderance of services involving specified sexual activities or display of specified anatomical areas.

~~K. "Agricultural Zoning District" shall include the A-1 and A-2 Zoning District.~~

L.K. "Church Zoning District" shall include the SU-1 Zoning District.

M.L. "Enlargement" shall mean an increase in the size of the building, structure or premises in which the adult entertainment business is conducted by either construction or use of an adjacent building or any portion thereof whether located on the same or an adjacent lot or parcel of land.

N.M. "Establishing an Adult Entertainment Business" shall mean and include any of the following:

- (a) the opening or commencement of any such business as a new business;
- (b) the conversion of an existing business, whether or not an adult entertainment business, to any of the adult entertainment businesses defined herein;
- (c) the addition of any of the adult entertainment businesses defined herein to any other existing adult entertainment business; or
- (d) the relocation of any such business.

O.N. "Historic Preservation Zoning District" shall include the HP-1 and HP-2 Zoning District.

P.O. "Integrated Center" shall mean a building containing a number of individual, unrelated and separately operated uses which share common site facilities and services such as driveways entrances and exits, parking areas, truck loading, maintenance, sewer and water utilities, or similar common facilities and services; or one or more buildings containing individual, unrelated and separately operated uses, occupying a site under one ownership or management for lease, and utilizing one or a combination of the aforementioned common site facilities or services.

Q.P. "Nonconforming Adult Use" shall mean any building, structure or land lawfully occupied by an adult entertainment business or lawfully situated at the time of passage of this ordinance or amendments thereto, which does not conform after the passage of this ordinance or amendments thereto with the regulations of this ordinance.

R.Q. "Park Zoning District" shall include the PK-1 or PK-2 Zoning District.

S.R. "Reconstruction" shall mean the rebuilding or restoration of any nonconforming adult use which was damaged or partially destroyed by an exercise of the power of eminent domain, or by fire, flood, wind, explosion or other calamity or act of God if the damage or destruction exceeds two-thirds (2/3) of the value of the structure or the facilities affected.

TS. "Residential Zoning District" shall include the D-A, D-S, D-1, D-2, D-3, D-4, D-5, D-511, D-6, D-611, D-7, D-8, D-9, D-10, D-11, D-12 and D-P Zoning Districts.

U.T. "Resumption" shall mean the reuse or reoccupation of a nonconforming adult use which has been discontinued for a period of six or more consecutive months.

V.U. "School Zoning District" shall include the SU-2 Zoning District.

W.V. "Services Involving Specified Sexual Activities or Display of Specified Anatomical Areas", as used in subsection J, shall mean and include any combination of two or more of the following activities:

- (1) the sale or display of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representation which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas;
- (2) the presentation of films, motion pictures, video cassettes, slides, or similar photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons;
- (3) the operation of coin or slug operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices to show images to five (5) or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas;

- (4) live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas;
- (5) the operation of a massage school, massage parlor, massage therapy clinic, bathhouse, escort service, body painting studio or nude modeling studio, as these terms are defined in Section 17-725 of the Code of the City of Indianapolis, and any amendments thereto.

~~X.W.~~ "Specified Anatomical Areas" shall mean and include any of the following:

- (a) less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
- (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

~~Y.X.~~ "Specified Sexual Activities" shall mean and include any of the following:

- ~~(a)~~ human genitals in a state of sexual stimulation or arousal;
- ~~(b)~~ acts of human masturbation, sexual intercourse or sodomy;
- c. fondling or other erotic touchings of human genitals, pubic regions, buttocks or female breasts;
- d. flagellation or torture in the context of a sexual relationship;
- e. masochism, erotic or sexually oriented torture, beating or the infliction of pain;
- f. erotic touching, fondling or other such contact with an animal by a human being; or
- g. human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in "a" through "f" above.

~~Z.Y.~~ "Structural Alteration" shall mean any change which would prolong the life of the supporting members of a building or structure such as bearing walls, columns, beams or girders, except such changes as are ordered made pursuant to the provisions of the Unsafe Building Law, IC 36-7-9-1, and any amendments thereto.

SECTION 5. PROHIBITIONS

The establishment, enlargement, reconstruction, resumption or structural alteration of any adult entertainment business shall be prohibited if such business is within 500 feet of two other such businesses or within 500 feet of any existing church zoning district, school zoning district, park zoning district, ~~agricultural zoning district~~, historic preservation zoning district or residential zoning district within Marion County, Indiana.

SECTION 2. If any provisions or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect other ordinance provisions or clauses or applications thereof which can be implemented without the unconstitutional or invalid provision, clause of application, and to this the provisions of this ordinance are declared to be severable.

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

Proposal No. 361, 1990, was retitled GENERAL ORDINANCE NO. 83, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1990
DOCKET NO. 90-AO-2
AMENDING
THE SIGN REGULATIONS
OF
MARION COUNTY, INDIANA

AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, and fixing a time when the same shall take effect.

July 23, 1990

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, ("Commission") and the City-County Council of the City of Indianapolis and of Marion County, Indiana ("Council") have adopted ordinance 89-AO-2, the Dwelling Districts Zoning Ordinance of Marion County, Indiana; and,

WHEREAS, in creating such an ordinance, the Commission and the Council desired to consolidate all zoning districts, classifications, and applicable permitted uses and standards pertaining to agricultural and forestry uses that had been previously found in the two sections of the Marion County Master Plan Permanent Zoning Ordinance, adopted on November 12, 1948, as amended, were still in force into the newly adopted Dwelling Districts Zoning Ordinance; and,

WHEREAS, in order to accomplish the consolidation of zoning districts noted above, the Commission and the Council have created the D-A (Dwelling-Agriculture) District as a successor district to the A, A-1, and A-2 (Agricultural) Districts; and,

WHEREAS, such a consolidation required the rezoning of certain lands within Marion County, from the Agricultural Districts to the newly created D-A (Dwelling-Agriculture) District, and the Commission and Council, through adoption of ordinance 89-AO-3, have provided for such rezoning; and,

WHEREAS, such a rezoning to the Dwelling-Agriculture District, has caused outdoor advertising signs to no longer be permitted on land previously zoned to the agricultural district classifications; and,

WHEREAS, in developing amendments to the Sign Regulations in 1988, adopted as ordinance 88-AO-3, as they pertain to outdoor advertising signs, it was acknowledged that outdoor advertising signs were permitted in agricultural districts; and,

WHEREAS, the Commission and Council continue to recognize that outdoor advertising signs remain an acceptable use in agricultural areas.

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

SECTION 1. The Sign Regulations of Marion County, Indiana adopted under Metropolitan Development Commission Docket Number 71-AO-4, as amended, pursuant to IC 36-7-4, be further amended as follows:

That Section 14.04 of the Sign Regulations of Marion County, Indiana, be amended by deleting the cross-hatched language and inserting the underscored language as follows:

~~SEC. 14.04 DWELLING DISTRICTS AND AGRICULTURAL DISTRICTS~~

Within Dwelling Districts ~~and Agricultural Districts~~, signs shall be permitted only in conformity with this Section 14.04.

-1 PERMITTED SIGNS. The following signs are permitted in the Dwelling ~~and/or Agricultural~~ Districts as indicated, subject to the applicable regulations of the Dwelling Districts ~~and Agricultural Districts~~ Zoning Ordinances and this Article 14:

- (1) ADVERTISING SIGN - ~~not permitted only in the a D-A (Dwelling Agriculture) District. In Agricultural Districts permitted~~ on a lot provided that the size of an advertising sign shall not exceed: five percent (5%) of the ground floor area of the principle one story building located on the same lot; three percent (3%) of the floor area of the principle two story building located on the same lot; two and one-half percent (2.5%) of the floor area of the principle three or more story building located on the same lot; or, the size specified in the following table, whichever allows the greater size sign:

Lot Size (in square feet)	Maximum Sign Dimensions (vertical by horizontal)
Up to 10,000	6 ft. by 12 ft.
10,000+ - 20,000	12 ft. by 12 ft.
20,000+ - 43,560	12 ft. by 25 ft.
43,560+	10.5 ft. by 36 ft.* or 12 ft. by 50 ft. or 14 ft. by 48 ft.*

* - plus extensions as defined in Section 14.02.

- (2) BUSINESS SIGN

(3) INCIDENTAL SIGN

-2 ADVERTISING SIGNS

- (1) SIGN FACE - the face of an advertising sign shall not be greater than fourteen (14) feet in vertical dimension nor greater than fifty (50) feet in horizontal dimension, except where specifically regulated by Section 14.03(21)(b) (2) and shall not contain more than two (2) advertising signs per facing.
- (2) NUMBER OF SIGN STRUCTURES PERMITTED AND STANDARDS - one advertising sign structure shall be permitted on a lot having a minimum frontage of five hundred (500) feet; provided, however, that:
 - i. No dwelling unit other than the principal homestead is within one thousand (1,000) feet of the sign structure, and provided further, that if a dwelling structure is subsequently erected within one thousand (1,000) feet of said sign structure such sign structure shall be removed within thirty (30) days after the start of construction of the dwelling.
 - ii. The full face of the sign can be viewed along the line of travel to which it is exposed for a distance of at least five hundred (500) feet along the centerline of the frontage street measured from a point opposite the center of the sign and perpendicular to the street's centerline; provided, however;
 - (a) In the case of a sign parallel (or within twenty (20) degrees of parallel) to a one-way street, the required viewing distance shall be at least eight hundred (800) feet;
 - (b) In the case of a sign which is from three (3) to twenty (20) degrees of parallel to a two-way street, the required viewing distance shall be at least eight hundred (800) feet;
 - (c) In the case of a sign parallel (or within three (3) degrees of parallel) to a two-way street, the required viewing distance shall be at least five hundred (500) feet in each direction; (in the case of a sign so placed that it can be viewed from more than one street, the above viewing distance requirements shall be applicable to only one street).
- (3) DISTANCE BETWEEN SIGNS - Except as otherwise provided for signs in the protected areas along interstate highways, freeways and expressways, the minimum distance between advertising signs shall be as specified below. The application of these provisions is illustrated in Diagram 2:
 - (a) The minimum distance between advertising signs located along and oriented toward the same public street shall be one-thousand (1,000) feet, subject to the following:
 - aa. The spacing requirement shall be applied regardless of whether the signs are on the same side of a street.
 - bb. The spacing requirement shall be applied continuously along a street to all signs oriented toward that street in either direction whether the signs are in the same block or are in different blocks separated by an intersecting street.
 - cc. For purposes of applying the spacing requirement to advertising signs, pole, roof, wall, ground and projecting signs shall be treated the same, whether double-faced or single-faced.
 - dd. Advertising signs located at the same intersection are not in violation of the minimum spacing requirement specified in (a). because of their nearness to one another if they are located so that their messages are directed toward traffic flowing in different directions.
 - (b) In no event shall any point of an advertising sign or sign structure be closer than five hundred (500) feet from any point of any other advertising sign or sign structure regardless of location or orientation.
 - (c) The method of measurement of the spacing between advertising signs oriented toward the same street shall be along the centerline of the street to which the sign is oriented from the point in the streets' centerline closest to the leading edge of the sign. (See DIAGRAM 2)
 - (d) If a sign is erected in conformance with this Article and subsequently the view of the full face of the sign at any point described in (2)ii above is materially obstructed, said sign shall be

removed in accordance with item (23)ii of Table 14.03. (An obstruction shall be deemed to be of material character when it renders the essential elements of the sign unreadable.)

-3 BUSINESS SIGNS

- (1) NUMBER OF SIGNS AND WHERE PERMITTED - one business sign structure with not more than one (1) sign per facing shall be permitted on a lot having a minimum frontage of five hundred (500) feet; provided, however, that:
 - i. No dwelling unit other than the principal homestead is within one thousand (1,000) feet of the sign structure.
 - ii. The sign surface area shall not exceed an amount equal to five percent (5%) of the building facade or other architectural elevation to which the sign is oriented, or three hundred (300) square feet, whichever is the lesser.
- (2) PLATTED SUBDIVISIONS AND ATTACHED MULTIFAMILY PROJECTS - the following development standards shall apply only to residential subdivisions, the plats of which have been recorded, or conditionally and/or finally approved by the Metropolitan Development Plan Commission (or Plat Committee thereof) prior to recording, and to attached multifamily projects containing twenty-five (25) or more dwelling units:
 - i. One business sign structure, identifying and/or providing information regarding the subdivision, shall be permitted at the main entrance to such subdivision;
 - ii. One additional business sign structure identifying and/or providing information regarding the subdivision or project shall be permitted at each of not more than two (2) auxiliary subdivision or project entrances, provided such entrances front on separate collector streets or thoroughfares. Such business sign structure may contain two (2) facings, provided said facings are within fifteen (15) degrees of parallel of each sign face;
 - iii. The maximum size of each such business sign shall be three hundred (300) square feet in surface area;
 - iv. The maximum height of each such business sign shall be twenty-five (25) feet above grade level;
 - v. No sign shall be located on a building;
 - vi. One sign, not exceeding sixteen (16) square feet in surface area, may be erected for each dwelling which is used for display or as a model home or model apartment. The sign shall be located in the required front yard of a lot containing a model home and near the entrance of a model apartment. Such signs shall be removed when a display of model home or model apartment is no longer so used;
 - vii. Business signs permitted in (2)i and ii above shall be removed within eighteen (18) months after the issuance date of the sign improvement location permit therefore or when all lots within the subdivision have been sold, or upon the completion of construction of the multifamily project, whichever occurs first.
 - viii. Provided, however, upon application to the Administrator of the Division of Development Services Planning and Zoning Division, extensions thereof for a period of six (6) months may be granted if, in the case of platted subdivisions, two (2) or more lots remain unsold eighteen (18) months after such original issuance date; or, in the case of attached multifamily projects, if construction has not been completed eighteen (18) months after such original issuance date; or for other good causes shown.

-4 INCIDENTAL SIGNS

- (1) FOR SALE, LEASE, AND SIMILAR SIGNS - one incidental sign, not exceeding thirty-two (32) square feet in surface area, shall be permitted for each lot frontage to announce construction, remodeling, rebuilding, sale, lease or rental. Such sign shall be removed when construction, lease, sale or other indicated purpose is completed.
- (2) One incidental sign, indicating only the name, occupation, or address of the occupant, shall be permitted for each dwelling unit for each street frontage. Such sign shall not exceed one (1) square foot in surface area.

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- (3) For multiple-family dwellings, one incidental sign not exceeding thirty-two (32) square feet in surface area shall be permitted for each street frontage. Said sign shall indicate only the name and/or address of the building or use, the name and address of the management thereof, or associated information.
- (4) Real estate and trespassing sign shall be permitted as incidental signs, provided there shall be only one sign, not exceeding nine (9) square feet in surface area, for each lot street frontage.
- (5) Incidental signs accessory to parking areas shall be permitted, subject to the following:
 - i. Directional signs for traffic, pedestrian, or other control designating entrances or exits to or from a parking area, and limited to one sign for each such entrance and exit, shall be permitted. Said signs shall not exceed two (2) square feet in surface area per sign;
 - ii. One sign, of maximum surface area of sixteen (16) square feet, announcing a parking area, shall be permitted for each street frontage of such parking area. Said sign may include the name of the owner and/or name of the establishment for which it is provided.
 - iii. Signs accessory to parking area shall be set back a minimum of two (2) feet from any lot line unless attached flat to a building wall.
- (6) One permanent, incidental sign shall be permitted at any main entrance to a recorded, platted residential subdivision or permanent mobile home park. Such sign shall be of ornamental metal, stone, masonry, or other permanent material, and shall indicate only the name of such subdivision. Such sign shall not exceed thirty-two (32) feet in surface area.

SECTION 2. If any provisions or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect of other ordinance provisions or clauses or applications thereof which can be implemented without the unconstitutional or invalid provision, clause or application, and to this the provisions and clauses of this ordinance are declared to be severable.

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

PROPOSAL NO. 385, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 385, 1990, on July 19, 1990. This proposal acknowledges the necessity of a county-wide public safety communications system and authorizing the Building Authority to proceed with the financing of the system and leasing the system to the Metropolitan Emergency Communications Agency for installation and maintenance. Councillor Rhodes informed the Council that Motorola had been awarded the radio sub-system contract and that the Building Authority is the funding source only; they will not design, maintain or operate the equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shaw, for adoption. Proposal No. 385, 1990, was adopted on the following roll call vote; viz:

22 YEAS: Boyd, Brooks, Clark, Curry, Dowden, Durnil, Gilmer, Hawkins, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

0 NAYS:

4 NOT VOTING: Borst, Coughenour, Holmes, Ruhmkorff

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 385, 1990, was retitled SPECIAL RESOLUTION NO. 43, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1990

A SPECIAL RESOLUTION declaring a necessity for the acquisition and installation of a county-wide public safety communications system ("System") including any facilities as hereinafter defined, for the general welfare of persons residing in Marion County ("County") which will be of public utility and benefit to the property in the County as well as to the various public safety agencies within the County including the Indianapolis Police

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Department ("IPD"), the Indianapolis Fire Department ("IFD"), the Marion County Sheriff's Department ("MCSD") and Wishard Memorial Hospital ("Wishard"), and authorizing the Indianapolis-Marion County Building Authority ("Building Authority") to proceed with all measures necessary to finance the System and lease it to the Metropolitan Emergency Communications Agency Board ("MECA").

WHEREAS, MECA was established pursuant to IC 36-3-4-23, 36-8-15-2 and City-County General Ordinances No. 80, 1988, and No. 43, 1989, with authority to finance, purchase, acquire, lease, erect, install, construct, equip, upgrade, operate, and maintain "facilities", meaning computers and communication systems or any necessary appurtenances and improvements thereto, including real and personal property required to house such facilities, and all equipment, apparatus, devices, and instrumentalities required for the proper operation of the facility or facilities; and

WHEREAS, MECA has determined that it is necessary for the general welfare and will be of public utility and benefit to the property in the County to undertake the purchase and installation of a System; and

WHEREAS, the Building Authority is a body corporate and politic organized and existing under I.C. 36-9-13 et seq. for the purpose of financing, acquiring, improving, constructing, reconstructing, renovating, equipping and operating government buildings and systems; and leasing them to eligible entities; and

WHEREAS, the Building Authority is willing to finance the System and to lease it to MECA; and

WHEREAS, it is in the best interest of the taxpayers and residents of the County for the Building Authority to finance and acquire the System and to lease the System to MECA which will install and maintain the System; 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 determines that a need exists for a county-wide public safety communications system for the general welfare of residents, and the public utility and benefit of property, and the public safety agencies in the County.

SECTION 2. The City-County Council hereby finds that the financing by the Building Authority of this System, and the leasing thereof to MECA is in the best interests of the taxpayers and residents of the County.

SECTION 3. The City-County Council hereby authorizes and instructs the Building Authority to do all things and to take all measures deemed necessary to finance and acquire the foregoing described System, and to lease such System to MECA.

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

PROPOSAL NO. 386, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 386, 1990, on July 19, 1990. This proposal establishes the Marion County Commission on Youth and was sponsored by Councillor West. Councillor Rhodes stated the 22-member Youth Commission will coordinate and encourage programs for youth. There were two technical amendments to Proposal No. 386, 1990, and by a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Shaw, for adoption.

Councillor Durnil observed that the Department of Parks and Recreation was not contacted for any input on this proposal and is not represented on the Youth Commission and, in his opinion, recreation for youth is their basic responsibility.

Proposal No. 386, 1990, was adopted on the following roll call vote; viz:

18 YEAS: *Boyd, Brooks, Coughenour, Curry, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, SerVaas, Shaw, Strader, West, Williams*

5 NAYS: *Clark, Dowden, Durnil, Schneider, Solenberg*

3 NOT VOTING: *Borst, Irvin, Ruhmkorff*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 386, 1990, was retitled SPECIAL RESOLUTION NO. 44, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 1990

A SPECIAL RESOLUTION to establish the Marion County Commission On Youth.

WHEREAS, there is a need to maximize the use of existing and potential resources for children and youth in the community; and

WHEREAS, there is a need to enhance the community's awareness of the needs of children and youth and the resources available to meet these needs;

THERE IS HEREBY established the Marion County Commission On Youth, hereafter known as the Commission. In establishing the Commission, Marion County is exercising its authority as a county to create a county-wide body representative of the citizens of Marion County who are interested in, work with or counsel children and youth.

SECTION 1. The Commission shall be comprised of twenty-two (22) members of which thirteen (13) shall be selected from the areas and/or agencies designated below, and the remaining nine (9) shall be selected from the county at-large. The Commission members shall be selected within ninety (90) days following the passage of this resolution by the City-County Council and the approval and signature of the Mayor of the City of Indianapolis.

a. Six (6) members shall be selected by the Mayor, who may consider all Marion County citizens, but with specific consideration to the following categories:

1. Education
2. Employment
3. Health
4. Juvenile Justice
5. Mental Health/Social Service
6. Recreation/Social Development

b. The chief public officials or their designated deputy or permanent proxy shall serve as Commission members:

1. Mayor
2. President of the City-County Council
3. Marion County Prosecutor
4. Marion County Sheriff
5. Marion County Auditor
6. Chief of Police, Indianapolis Police Department
7. Director of the Cooperative Extension

c. Nine (9) members shall be chosen from the county at-large. The Mayor shall appoint a total of three (3) of the members. The City-County Council shall appoint a total of six (6) members.

SECTION 2. Three of the members chosen by the Mayor in accordance with Section 1(a) shall serve for a two (2) year term, or until their successors are appointed and confirmed, and the other three members shall serve for a one (1) year term, or until their successors are appointed and confirmed. Of the Commission members listed in Section 1(c) and appointed by the Mayor, two (2) members shall serve a two (2) year term and one (1) member shall serve a one (1) year term, or until their successors are appointed and confirmed. Of the Commission members listed in Section 1(c) and appointed by the City-County Council, three (3) of the members shall serve a two (2) year term and three (3) members shall serve a one (1) year term, or until their successors are appointed and confirmed. The initial appointees shall serve for the balance of the current calendar year plus the specified term so that all terms will expire on December 31. Thereafter, and at the expiration of the term of initial appointees, each appointment shall be made for a term of two (2) years. No member of the Commission shall serve for more than three (3) consecutive terms. Vacancies on the Commission shall be filled in the same manner as the original appointment for the unexpired term.

SECTION 3. The Commission shall elect at its first regular meeting and annually thereafter, one (1) member to each of the following offices: President, Vice-President, and Secretary. The Vice-President shall perform the duties of the President during the absence of or disability of the President.

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SECTION 4. The Commission shall promulgate written policies and procedures for the administration of the meetings.

SECTION 5. The Commission shall be supported by the staff of the Division of Occupational and Community Services and shall advise the Mayor, Council and the public of its findings, progress, and recommendations concerning children and youth services.

SECTION 6. The Commission shall set forth its goals, objectives and purposes within ninety (90) days after completion of the Commission appointments.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 395, 1990. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 395, 1990, on July 18, 1990. The proposal amends the Code prohibiting parking of certain trucks in residential neighborhoods or overnight on public streets. Councillor Gilmer reported that the proposal was amended in committee by adding the language "with more than two axles" to better define the commercial vehicles affected by this proposal. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Irvin, for adoption. Proposal No. 395, 1990, was adopted on the following roll call vote; viz:

21 YEAS: Borst, Boyd, Brooks, Clark, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Howard, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Strader, West, Williams

1 NAY: Curry

4 NOT VOTING: Holmes, Moriarty, Ruhmkorff, Solenberg

3 NOT PRESENT: Cottingham, Giffin, Golc

Proposal No. 395, 1990, was retitled GENERAL ORDINANCE NO. 84, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1990

A GENERAL ORDINANCE prohibiting parking of certain trucks in residential neighborhoods or overnight on public streets.

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

SECTION 1. The Code of Indianapolis and Marion County, specifically sec. 29-264, be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text, to read as follows:

Sec. 19-264. Parking of certain trucks and commercial vehicles ~~at night~~ restricted.

(a) Overnight parking. It shall be unlawful for the owner, operator or driver of ~~any truck or commercial vehicle or truck if such vehicle has more than two axles~~, or for the person in charge thereof, to park such vehicle or to permit it to be parked or to stand upon any street or alley in the city between the hours of 12:00 midnight and 6:00 a.m. for a period of time longer than one (1) hour.

(b) Residence districts. It shall be unlawful for the owner, operator or driver of any truck with more than two axles (including the truck-tractor of a semi tractor-trailer), or for the person in charge thereof, to park such vehicle on or to permit it to be parked or to stand upon any street or alley in a residential district for a period of time longer than one (1) hour, except household or other moving or delivery trucks while actually loading or unloading property for adjacent residences or service trucks of persons while engaged in service calls at adjacent residences.

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

PROPOSAL NO. 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406, 1990. President SerVaas asked for consent to vote on the eleven transportation proposals together.

Consent was given. PROPOSAL NO. 396, 1990. This proposal amends the Code by changing the intersection controls at Ewing and Macklin Streets. PROPOSAL NO. 397, 1990. This proposal amends the Code by authorizing intersection controls at various locations. PROPOSAL NO. 398, 1990. This proposal amends the Code by authorizing a traffic signal at the intersection of Pleasant Run Parkway, N. Drive and Raymond Street. PROPOSAL NO. 399, 1990. This proposal amends the Code by authorizing a traffic signal at the intersection of High School Road and Minnesota Street. PROPOSAL NO. 400, 1990. This proposal amends the Code by authorizing a change in intersection controls at Sargent Road and 82nd Street (EB) and Sargent Road and 82nd Street (WB). PROPOSAL NO. 401, 1990. This proposal amends the Code by authorizing a 3-way stop at the intersection of Sunnyside Road and 79th Street. PROPOSAL NO. 402, 1990. This proposal amends the Code by authorizing parking restrictions on a segment of Emerson Avenue from Brookville Road to a point 80 feet north of Brookville Road. PROPOSAL NO. 403, 1990. This proposal amends the Code by authorizing parking restrictions during rush hours on segments of Alabama Street. PROPOSAL NO. 404, 1990. This proposal amends the Code by authorizing the removal of parking on segments of Porto Alegre. PROPOSAL NO. 405, 1990. This proposal amends the Code by authorizing two (2) loading zones for Bank One. PROPOSAL NO. 406, 1990. This proposal amends the Code by authorizing weight limit restrictions on the 10th Street Frontage Road (998 N.). By a 5-0 vote, the Committee reported Proposal Nos. 395, 397, 400, 401, 402, 403, 404 and 406, 1990, to the Council with the recommendation that they do pass. By a 4-0 vote, the Committee reported Proposal Nos. 398 and 399, 1990 to the Council with the recommendation that they do pass. By a 4-1 vote, the Committee reported Proposal No. 405, 1990, to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406, 1990, were adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Mukes-Gaither*

3 NOT PRESENT: *Cottingham, Giffin, Golc*

Proposal No. 396, 1990, was retitled GENERAL ORDINANCE NO. 85, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1990

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 4	Ewing St and Machlin St	Ewing St	Stop

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

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 4	Ewing St and Macklin Dr	None	All Stop

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

Proposal No. 397, 1990, was retitled GENERAL ORDINANCE NO. 86, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1990

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 1	Barlum Dr. & 79th St.	None	None
4, Pg. 1	Barlum Dr. & Meadowbrook Dr.	None	None
4, Pg. 4	Meadowbrook Dr. & 79th St.	None	None
4, Pg. 4	Meadowbrook Dr. & Southbrook Dr.	None	None
4, Pg. 4	Meadowbrook Ct. & Meadowbrook Dr.	None	None
4, Pg. 6	Southbrook Dr. & 80th St.	None	None
6, Pg. 2	Castle Farms Rd. & Country Side Dr.	None	None
10, Pg. 3	Galahad Dr. & Roland Dr.	None	None
10, Pg. 6	Olympia Dr. & Roland Dr.	None	None
20, Pg. 1	Alpine Pl. & 34th St.	34th St.	Yield
20, Pg. 2	Biscayne Rd. & Decamp Dr.	Decamp Dr.	Yield
20, Pg. 3	Cecil Av. & 34th Pl.	Cecil Av.	Yield
20, Pg. 3	Cecil Av. & 34th St.	34th St.	Yield
20, Pg. 3	Cecil Av. & 36th St.	36th St.	Yield
20, Pg. 3	Decamp Dr. & Opera Pl.	Decamp Dr.	Yield

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20, Pg. 3	Eaton Av. & 34th Pl.	None	None
20, Pg. 3	Eaton Av. & 36th St.	None	None
20, Pg. 5	Frontenac Rd. & 35th St.	Frontenac Rd.	Yield
20, Pg. 5	Frontenac Rd. & Opera Pl.	Frontenac Rd.	Yield
20, Pg. 5	Harvest Av. & 34th St.	34th St.	Yield
20, Pg. 5	Harvest Av. & 35th Pl.	None	None
20, Pg. 5	Harvest Av. & 36th St.	None	None
20, Pg. 5	Harvest Av. & 37th Pl.	Harvest Av.	Yield
20, Pg. 5	Harvest Av. & 37th St.	Harvest Av.	Yield
20, Pg. 5	Joan Pl. & 34th Pl.	34th Pl.	Yield
20, Pg. 6	Joan Pl. & 36th St.	36th St.	Yield
20, Pg. 6	Joan Pl. & 37th St.	37th St.	Yield
20, Pg. 8	Penway St. & Tiffany Dr.	Tiffany Dr.	Yield
20, Pg. 10	Tiffany Dr. & 34th St.	34th St.	Yield
20, Pg. 10	Tiffany Dr. & 35th Pl.	Tiffany Dr.	Yield
20, Pg. 10	Tiffany Dr. & 36th Pl.	Tiffany Dr.	Yield
20, Pg. 10	Tiffany Dr. & 36th St.	Tiffany Dr.	Yield
24, Pg. 4	California St. & Indiana Av.	Indiana Av.	Stop
39, Pg. 10	Orinoco Av. & Stevens St.	None	None

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 1	Barlum Dr. & 79th St.	79th St.	Stop

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4, Pg. 1	Barlum Dr. & Meadowbrook Dr.	Meadowbrook Dr.	Stop
4, Pg. 4	Meadowbrook Dr. & 79th St.	Meadowbrook Dr.	Stop
4, Pg. 4	Meadowbrook Dr. & Southbrook Dr.	Meadowbrook Dr.	Stop
4, Pg. 4	Meadowbrook Ct. & Meadowbrook Dr.	Meadowbrook Dr.	Stop
4, Pg. 6	Southbrook Dr. & 80th St.	80th St.	Stop
6, Pg. 2	Castle Farms Rd. & Prairie Dr. (8300 N.)	Castle Farms Rd.	Stop
6, Pg. 2	Castle Farms Rd. & Prairie Dr. (8551 N.)	Castle Farms Rd.	Stop
6, Pg. 2	Castle Farms Rd. & 86th St.	86th St.	Stop
6, Pg. 2	Castle Farms Rd. & Summertree Ct.	Castle Farms Rd.	Stop
6, Pg. 6	Prairie Dr. & Summertree Ln.	Prairie Dr.	Stop
10, Pg. 3	Galahad Dr. & Roland Dr.	Galahad Dr. (WB)/ Roland Dr.	Stop
10, Pg. 6	Olympia Dr. & Roland Dr.	Roland Dr.	Yield
20, Pg. 1	Alpine Pl. & 34th St.	34th St.	Stop
20, Pg. 2	Biscayne Rd. & Decamp Dr.	Decamp Dr.	Stop
20, Pg. 3	Cecil Av. & 34th Pl.	Cecil Av.	Stop
20, Pg. 3	Cecil Av. & 34th St.	34th St.	Stop
20, Pg. 3	Cecil Av. & 36th St.	36th St.	Stop
20, Pg. 3	Decamp Dr. & Opera Pl.	Decamp Dr.	Stop
20, Pg. 3	Eaton Av. & 34th Pl.	34th Pl.	Stop
20, Pg. 3	Eaton Av. & 36th St.	36th St.	Stop
20, Pg. 5	Frontenac Rd. & 35th St.	Frontenac Rd.	Stop
20, Pg. 5	Frontenac Rd. & Opera Pl.	Frontenac Rd.	Stop

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20, Pg. 5	Harvest Av. & 34th St.	34th St.	Stop
20, Pg. 5	Harvest Av. & 35th Pl.	Harvest Av.	Stop
20, Pg. 5	Harvest Av. & 36th St.	36th St.	Stop
20, Pg. 5	Harvest Av. & 37th Pl.	Harvest Av.	Stop
20, Pg. 5	Harvest Av. & 37th St.	Harvest Av.	Stop
20, Pg. 5	Joan Pl. & 34th Pl.	34th Pl.	Stop
20, Pg. 6	Joan Pl. & 36th St.	36th St.	Stop
20, Pg. 6	Joan Pl. & 37th St.	37th St.	Stop
20, Pg. 8	Penway St. & Tiffany Dr.	Tiffany Dr.	Stop
20, Pg. 10	Tiffany Dr. & 34th St.	34th St.	Stop
20, Pg. 10	Tiffany Dr. & 35th Pl.	Tiffany Dr.	Stop
20, Pg. 10	Tiffany Dr. & 36th Pl.	Tiffany Dr.	Stop
20, Pg. 10	Tiffany Dr. & 36th St.	36th St.	Stop
39, Pg. 10	Orinoco Av. & Stevens St.	Orinoco Av.	Stop

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

Proposal No. 398, 1990, was retitled GENERAL ORDINANCE NO. 87, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1990

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 17	Pleasant Run Pkwy., No. Dr. & Raymond St.	Raymond St.	Stop

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

July 23, 1990

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 17	Pleasant Run Pkwy., No. Dr. & Raymond St.	None	Signal

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

Proposal No. 399, 1990, was retitled GENERAL ORDINANCE NO. 88, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1990

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 5	High School Rd. & Minnesota St. (WB)	High School Rd.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 5	High School Rd. & Minnesota St. (WB)	None	Signal

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

Proposal No. 400, 1990, was retitled GENERAL ORDINANCE NO. 89, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1990

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 6	Sargent Rd. & 80th St.	Sargent Rd.	Stop
6, Pg. 6	Sargent Rd. & 82nd St.	Sargent Rd.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 6	Sargent Rd. & 82nd St. (EB)	Sargent Rd.	Stop

July 23, 1990

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

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

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m.

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

From 3:00 p.m. to 6:00 p.m.

Alabama Street, on the west side, from
Court Street to Washington Street

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

Proposal No. 404, 1990, was retitled GENERAL ORDINANCE NO. 93, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1990

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Porto Alegre Street, on the east side, from
a point 196 feet north of Michigan Street
to a point 324 feet north of Michigan Street

Porto Alegre Street, on the east side, from
a point 646 feet south of 10th Street
to a point 826 feet south of 10th Street

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

Proposal No. 405, 1990, was retitled GENERAL ORDINANCE NO. 94, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be, and the same is hereby amended by the deletion of the following, to wit:

Pennsylvania Street, on the west side, from
a point 40 feet north of Market Street to
a point 110 feet north of Market Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and materials loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the west side, from
a point 52 feet north of Market Street to
a point 131 feet north of Market Street

Ohio Street, on the south side, from
a point 192 feet west of Pennsylvania Street
to a point 272 feet west of Pennsylvania Street

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

Proposal No. 406, 1990, was retitled GENERAL ORDINANCE NO. 95, 1990, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Trucks on certain streets restricted.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

10th Street Frontage Road (998 N.), from
Thorndale Street to 10th Street (7125 W.)

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

NEW BUSINESS

Councillor Williams moved, seconded by Councillor Boyd, that the Department of Administration report to the full Council at its regularly scheduled meeting on August 27, 1990 the permanent location of Municipal Court 16. This motion failed to receive a majority vote.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, upon motion duly made and seconded, the meeting adjourned at 9:55 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd day of July, 1990.

July 23, 1990

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

Bert SerVaas
President

ATTEST:

David J. Reppel-Dick
Clerk of the Council

(SEAL)