

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

**REGULAR MEETINGS
MONDAY, APRIL 10, 1989**

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 7:17 p.m. on Monday, April 10, 1989, with Councillor SerVaas presiding.

Councillor Coughenour lead 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:

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Solenberg introduced members of the National Rifle Association who were present for the introduction of Proposal No. 225, 1989.

Councillor McGrath introduced Greg Dickson, Assistant Pastor of the Indianapolis Baptist Temple, and Gene Hood, Reverend of the Independent Nazarene of Beech Grove, and also members from the congregation of the two churches, who were present for the introduction of Proposal No. 225, 1989.

OFFICIAL COMMUNICATIONS

David Frick gave a brief Super Bowl Report to the Council. He stated that in March the bids were taken, and on May 24 Indianapolis will give their final presentation for the Super Bowl of 1992 to be held in Indianapolis.

He indicated that Indianapolis is the only City in the country that has a Convention Center attached to the Hoosier Dome. He is encouraged that Indianapolis has a good possibility of being selected as the location for 1992; reasons being: the parking is abundant, over 3,000 hotel rooms in walking distance, a central location in the country, and the City has the experience in hosting world events, for example, the Pan Am Games.

Mr. Frick showed the film that he will be using for the presentation in May. The music in the film was "Indianapolis Indeed", sung by Sandi Patti, and there were shots of various monuments, etc. in Indianapolis.

After the film, he presented the Councillors with T-shirts with the logo "Super Bowl 1992 in Indianapolis."

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

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

Ladies and Gentlemen:

You are hereby notified 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, April 10, 1989, at 7:00 p.m., the purposes 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

March 27, 1989

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, March 30, 1989, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 172, 173, 175, 176, 177, 180, 181 and 185, 1989, to be held on Monday, April 10, 1989, at 7:00 p.m. in the City-County Building.

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

March 27, 1989

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, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 27, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Recreation and Sports, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 28, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Five Hundred Thirty-nine Thousand Nine Hundred Ninety Dollars (\$539,990) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 29, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Two Million Three Hundred Forty-eight Thousand Seven Hundred Eighty Dollars (\$2,348,780) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Administration Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 30, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional One Hundred Thirty Thousand Dollars (\$130,000) in the City General Fund for purposes of the Department of Administration, Finance Division, and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 31, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Twenty-nine Thousand Two Hundred Dollars (\$29,200) in the Consolidated County Fund for purposes of the Department of Administration, Purchasing Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 32, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 33, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional One Million Nine Hundred Five Thousand Eight Hundred Sixty-nine Dollars (\$1,905,869) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Office of the Director, and reducing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

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FISCAL ORDINANCE NO. 34, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Eight Hundred Thousand Dollars (\$800,000) in the Consolidated County Cumulative Capital 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 Fund.

GENERAL ORDINANCE NO. 22, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 23, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Article XXIII, Outdoor Retail Sales of Beverages, Flowers and Food From Carts.

GENERAL ORDINANCE NO. 24, 1989, amending the "Code of Indianapolis and Marion County, Indiana", specifically Section 17-650, Liability insurance, to reduce the combined limit coverage for personal injury and property damage beginning on April 1, 1989.

GENERAL ORDINANCE NO. 25, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 26, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL RESOLUTION NO. 18, 1989, honoring Barbara S. Gole.

SPECIAL RESOLUTION NO. 19, 1989, approving the sale of certain real estate of the Department of Parks and Recreation.

COUNCIL RESOLUTION NO. 35, 1989, establishing a Fleet Management Study Committee.

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

March 27, 1989

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT 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, the following ordinance:

FISCAL ORDINANCE NO. 3, 1989, amending the Police Special Service District Annual Budget for 1989 (Police Special Service District Fiscal Ordinance No. 4, 1988) appropriating an additional Twenty Thousand Dollars (\$20,000) in the Police Special Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Special Service District Fund.

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

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ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journals of September 26, 1988, October 10, 1988, October 24, 1988, November 14, 1988, November 28, 1988, December 12, 1988, January 9, 1989, January 23, 1989, February 6, 1989, February 27, 1989 and March 20, 1989. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 233, 1989. This proposal honors Lawrence North High School for winning the 1989 IHSAA Boys Basketball State Championship. Councillor Schneider, accompanied by the other sponsors, Councillors Solenberg, Rhodes and Dowden, read the resolution and presented a framed document to Coach Jack Keefer and those team members present. Councillor Schneider moved, seconded by Councillor Solenberg, for adoption. Proposal No. 233, 1989, was adopted by unanimous voice vote.

Proposal No. 233, 1989, was retitled SPECIAL RESOLUTION NO. 20, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1989

A SPECIAL RESOLUTION honoring Lawrence North High School for winning the 1989 IHSAA Boys Basketball State Championship.

WHEREAS, the Lawrence North High School Wildcats captured the 1989 IHSAA Boys Basketball State Championship title on March 25, 1989, with a 74-57 victory over Kokomo High School; and

WHEREAS, the route to victory included tournament wins over Chatard, Broad Ripple, Cathedral, Southport, Brebeuf, Triton Central, Muncie South, South Bend St. Joseph's and finally, Kokomo; and

WHEREAS, although Lawrence North was ranked only twelfth in the season's final Associated Press media poll, the team set a new state record in three-point goals, averaged an impressive 15.6 points victory margin during the nine tournament games, and became the first Indianapolis township school to ever win this prestigious 79 year-old state tournament.

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 congratulates and recognizes the Lawrence North Wildcats winning team members, Carl Rainey, Damon Watts, Todd Richards, DeJuan Lewis, Todd Leary, James Long, Keith Berryhill, Ryan Hayden, Severn Gurnell, Victor Bush, Vince Davidson, Eric Montross, Dana Barnes, Jason Villas, Dan Scully, and Eddie Casiano.

SECTION 2. The Council further recognizes Head Coach Jack Keefer, Assistant Coaches Dave Erwin, Ralph Scott and Elmer Kurbursky, Athletic Trainer Pete Just, Superintendent Dr. Percy Clark, Principal William McColly, Athletic Director Ron Harris, Cheerleaders Julie Arkenau, Jill Baars, Alex Boston, Monica Davis, Jacquie Erwin, Jamie Henry, Genevieve Jacobs and Marynka Wilkerson, Managers Scott Cochran, Kelly Lacey and Denise Nelson, and Student Trainers James Robbins, Kendra Briney, and Kathi Petefish.

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

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

PROPOSAL NO. 234, 1989. This proposal honors Angelo Franceschina. Councillor Irvin, accompanied by the other sponsors, Councillors Strader, McGrath and Borst, read the resolution and presented a framed document to Angelo Franceschina. Mr. Franceschina expressed his appreciation for this honor, and thanked the Councillors, particularly the Southside Councillors, for all the help and support that they had given him with the various neighborhood projects. Councillor Irvin moved, seconded by Councillor Strader, for adoption. Proposal No. 234, 1989, was adopted by unanimous voice vote.

Proposal No. 234, 1989, was retitled SPECIAL RESOLUTION NO. 21, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1989

A SPECIAL RESOLUTION honoring Angelo Franceschina.

WHEREAS, Angelo Franceschina served as Administrative Director of the Fountain Square & Fletcher Place Investment Corporation from 1979 through March, 1989; and

WHEREAS, during those years Mr. Franceschina and the neighborhood organization parlayed a \$12,000 grant into a current \$1 million revolving loan fund for home ownership opportunities, started the Virginia Avenue commercial corridor revitalization loan fund, recruited new businesses, restored the Fletcher Place Methodist Church into offices and a community building, and established the Barrington Housing Fund to assist property owners in rehabilitating their properties within their neighborhood.

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 honors and thanks Angelo Franceschina for the ten years of his life that he has given to the Fountain Square & Fletcher Place Investment Corporation and to the neighborhood. A great city can be no stronger than the sum of its individual neighborhood parts, and Angelo Franceschina leaves behind a "can do" legacy for this part of Indianapolis.

SECTION 2. The Council further wishes him the best of success as he takes his energy, abilities and vision to another neighborhood within the city, the Mapleton-Fall Creek Housing Development Corporation.

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

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

PROPOSAL NO. 235, 1989. This proposal supports efforts by the City of Indianapolis to host Super Bowl XXVI in 1992. After David Frick's thorough presentation earlier in the meeting, the Council supported this proposal. Councillor Borst moved, seconded by Councillor Clark, for adoption. Proposal No. 235, 1989, was adopted by unanimous voice vote.

Proposal No. 235, 1989, was retitled SPECIAL RESOLUTION NO. 22, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1989

A SPECIAL RESOLUTION supporting efforts by the City of Indianapolis to host Super Bowl XXVI in 1992.

WHEREAS, the City of Indianapolis has become a major destination for conventions and tourism, particularly major sporting events; and

WHEREAS, the Hoosier Dome has been lauded as a premier, first-class sports facility; and

WHEREAS, Indianapolis is a "can do" City and has hosted several world class sporting events; and

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WHEREAS, Indianapolis demonstrated to the world what could be accomplished by thousands of Hoosier volunteers and organizers during numerous world class events; and

WHEREAS, the only place for Super Bowl XXVI is Indianapolis Indeed; 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 hereby supports and encourages all efforts by the corporate community, by the public sector, and by private citizens who are working together to land the Super Bowl and to assure that the most successful sporting event in the world in 1992 will be Super Bowl XXVI.

SECTION 2. The City-County Council pledges its support of the Organizing Committee to ensure the safety of all citizens as well as visitors, and to further the "can do" image of Indianapolis to the rest of the world.

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

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

PROPOSAL NO. 184, 1989. This proposal approves the Mayor's appointment of Patrick L. Stevens as Director of the Department of Public Works for a term ending December 31, 1989. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 184, 1989, was adopted by unanimous voice vote.

Proposal No. 184, 1989, was retitled COUNCIL RESOLUTION NO. 36, 1989, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1989

A COUNCIL RESOLUTION approving the Mayor's appointment of Patrick L. Stevens as Director of the Department of Public Works, for a term ending December 31, 1989.

WHEREAS, pursuant to IC 36-3-3-8 and Section 2-142 of the "Code of Indianapolis and Marion County, Indiana" a mayor's appointment of a Director of the Department of Public Works, is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Patrick L. Stevens to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1989; now, therefore:

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

SECTION 1. Patrick L. Stevens is approved and confirmed by the City-County Council as Director of the Department of Public Works for a term ending December 31, 1989 to serve at the pleasure of the Mayor.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 212, 1989. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$560 for the Franklin Township Assessor for forms and supplies for the copy machine purchased for that office"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 213, 1989. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$290 for the County Surveyor for stationery and office supplies"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 214, 1989. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$18,000 for the Lawrence Township Assessor to extend office hours and hire three additional people"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 215, 1989. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$10,000 for the Department of Parks and Recreation, Golf Division, for carpeting and to purchase concession equipment as a result of the operations change"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 216, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$1,000 for the Superior Court, Criminal Division, Room IV, because additional employees are needed to assist with sequestered juries during June and July"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 217, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$6,130 for the Marion County Community Corrections Agency to pay the 27th pay period in this fiscal year, due to an increase in pay periods because of the leap year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 218, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$8,356 for the Marion County Community Corrections Agency to provide the completion of payments on the electronic monitoring contract"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 219, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$109,980 for the Prosecutor's Child Support IV-D Agency for their annual summer project and to purchase a voice response system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 220, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$311,921 for pre-trial services from the Municipal Courts to the Marion County Justice Agency to streamline operations and alleviate jail overcrowding"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 221, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the purchase and lease-back of real estate by the Indianapolis-Marion County Building Authority from the County of Marion on behalf of the Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 222, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION transferring to the Marion County Justice Agency Board responsibility for pre-trial services of its subject agencies"; and the President referred it to the Public Safety and Criminal Justice Committee.

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PROPOSAL NO. 223, 1989. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing J. Lloyd Grannan to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 224, 1989. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Mitchell E. Daniels, Sr. to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 225, 1989. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Chapter 20, Article VII, Weapons, by adding new Sections 20-191 through 20-194"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 226, 1989. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by adding a new Article IX in Chapter 20, dealing with the sale of tickets for the National Football League's "1992 Super Bowl" exhibition at the Hoosier Dome"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 227, 1989. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an increase in loading zone rental fees from \$10.00 to \$20.00 per linear foot"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 228, 1989. Withdrawn.

PROPOSAL NO. 229, 1989. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing the speed limit to be reduced from 40 MPH to 35 MPH on High School Road between Crawfordsville Road and 46th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 230, 1989. 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 Allisonville Road and 52nd Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 231, 1989. Introduced by Councillor Moriarty. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 3-way stop at the intersection of E. Pleasant Run Parkway South Drive and Kitley Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 232, 1989. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Franklin Road and Orchid Lane"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 240, 1989. Introduced by Councillor Irvin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving application

for designation of the Indianapolis Rubber Company as an Industrial Recovery Site"; the President withdrew this proposal because of the lateness of the submission.

PROPOSAL NO. 241, 1989. Introduced by Councillor Irvin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving application for designation of the Schwitzer Building as an Industrial Recovery Site"; the President withdrew this proposal because of the lateness of the submission.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 211, 1989. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 211, 1989, on March 22, 1989. The proposal is a special resolution amending City-County Special Resolution No. 46, 1988, by extending the expiration date for the inducement resolution for Coburn Place Associates Limited. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Boyd, for adoption. Proposal No. 211, 1989, was adopted on the following roll call vote; viz:

23 YEAS: Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Dumil, Giffin, Gilmer, Golc, Hawkins, Holmes, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, Schneider, SerVaas, Stewart, Strader, West

0 NAYS

6 NOT VOTING: Borst, Howard, Moriarty, Shaw, Solenberg, Williams

Proposal No. 211, 1989, was retitled SPECIAL RESOLUTION NO. 23, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1989

A SPECIAL RESOLUTION amending City-County Special Resolution No. 46, 1988, 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 I.C. 36-7-12 and I.C. 36-7-11.9 (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. 46, 1988, (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 Coburn Place Associates Limited (the "Company") which Inducement Resolution set an expiration date of March 31, 1989 unless the economic development revenue bonds for the Project have 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 March 31, 1989 contained therein and replacing said date with the date of September 30, 1989.

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.

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PROPOSAL NO. 236, 1989. Introduced by Councillor Borst. The Clerk read the proposal entitled "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 17, 1989". The Council did not schedule Proposal No. 236, 1989, for hearing pursuant to IC 36-7-4-608. Proposal No. 236, 1989, was retitled REZONING ORDINANCE NO. 77, 1989, and is identified as follows:

REZONING ORDINANCE NO. 77, 1989. 88-Z-130(B) 2ND AMEND. FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
3498, 3520 SOUTH POST ROAD (REAR), INDIANAPOLIS.
EDWARD THOMAS, by Richard L. Brown, requests the rezoning of 2.07 acres, being in the A-2 district, to the C-1 classification to provide for the operation of boat sales storage, repairs and rental and for the construction of buildings to house the aforementioned activities.

PROPOSAL NO. 237, 1989. Introduced by Councillor Borst. The Clerk read the proposal entitled "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 20, 1989". The Council did not schedule Proposal No. 237, 1989, for hearing pursuant to IC 36-7-4-608. Proposal No. 237, 1989, was retitled REZONING ORDINANCE NO. 78, 1989, and is identified as follows:

REZONING ORDINANCE NO. 78, 1989. 84-Z-110 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
4001 EAST SOUTHPORT ROAD, INDIANAPOLIS.
CARL W. RITCHIE, by Lawson J. Clarke, II, requests the rezoning of 2.97 acres, being in the C-2 and C-4 districts, to the C-6 classification to provide for the construction of a Dollar Inn Motel.

PROPOSAL NOS. 238 - 239, 1989. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 28, 1989". The Council did not schedule Proposal Nos. 238 - 239, 1989, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 238 - 239, 1989, were retitled REZONING ORDINANCE NOS. 79 - 80, 1989, and are identified as follows:

REZONING ORDINANCE NO. 79, 1989. 88-Z-280 AMENDED WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
502 SOUTH GERMAN CHURCH ROAD, INDIANAPOLIS.
LAND INNOVATORS COMPANY, by Raymond Good, requests the rezoning of 129.9 acres, being in the A-2 district, to the D-3 classification to permit residential development.

REZONING ORDINANCE NO. 80, 1989. 88-Z-283 AMENDED WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
502 SOUTH GERMAN CHURCH ROAD, INDIANAPOLIS.
LAND INNOVATORS COMPANY, by Raymond Good, requests the rezoning of 97.68 acres, being in the A-2, D-3, D-6II and C-4 districts, to the D-2 classification to provide for residential development.

PROPOSAL NOS. 242 - 250, 1989. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 7, 1989". The Council did not schedule Proposal Nos. 242 - 250, 1989, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 242 - 250, 1989, were retitled REZONING ORDINANCE NOS. 81 - 89, 1989, and are identified as follows:

REZONING ORDINANCE NO. 81, 1989. 88-Z-198 AMENDED PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
APPROX. 3501 WEST 71ST STREET, INDIANAPOLIS.
STARK DEVELOPMENT CORPORATION, by Stephen D. Mears, requests the rezoning of 162.99 acres, being in the A-2 district, to the D-3 classification to provide for the development of single-family residences.

REZONING ORDINANCE NO. 82, 1989. 88-Z-199 AMENDED PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
APPROX. 3202 WEST 62ND STREET, INDIANAPOLIS.
STARK DEVELOPMENT CORPORATION, by Stephen D. Mears, requests the rezoning of 90.85 acres, being in the A-2 district, to the D-5 classification to provide for the development of single-family residences.

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REZONING ORDINANCE NO. 83, 1989. 88-Z-284 AMENDED PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4625 LAFAYETTE ROAD, INDIANAPOLIS.
RICHARD A. AND FLORENCE G. WEST, by Charles T. Gleason, requests the rezoning of 2.92 acres, being in the D-3 and A-2 districts, to the C-5 classification to provide for commercial development.

REZONING ORDINANCE NO. 84, 1989. 89-Z-42 (89-DP-2) LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
7606 EAST 82ND STREET, INDIANAPOLIS.
ABUNDANT LIFE CHURCH requests the rezoning of 15.14 acres, being in the D-P district, to the D-P classification to provide for a Planned Unit Development consisting of elderly housing and a nursing home.

REZONING ORDINANCE NO. 85, 1989. 89-Z-50 AMENDED PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
8821 RAILROAD ROAD, INDIANAPOLIS.
MICHAEL SHOTTS, by Thomas Michael Quinn, requests the rezoning of 11.56 acres, being in the A-2 and SU-1 districts, to the D-3 classification.

REZONING ORDINANCE NO. 86, 1989. 89-Z-56 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
610 MADISON AVENUE, INDIANAPOLIS.
NORTH ATLANTIC CASUALTY AND SURETY INSURANCE COMPANY, INC., requests the rezoning of 0.11 acres, being in the I-3-U/RC district, to the CBD-2/RC classification to conform zoning to the surrounding land uses and adjacent zoning district.

REZONING ORDINANCE NO. 87, 1989. 89-Z-58 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
308 WEST STOP ELEVEN ROAD, INDIANAPOLIS.
ERP DEVELOPMENT, INC., by Michael J. Kias, requests the rezoning of 9.15 acres, being in the D-4 district, to the D-6 classification to provide for two-family residential development by platting.

REZONING ORDINANCE NO. 88, 1989. 89-Z-59 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
140 EAST BANTA ROAD, INDIANAPOLIS.
JAMES C. STEWART, by J. Murray Clark, requests the rezoning of 20.0 acres, being in the A-2 district, to the D-3 classification to provide for single-family residential development by platting.

REZONING ORDINANCE NO. 89, 1989. 89-Z-63 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
12339 EAST 79TH STREET, INDIANAPOLIS.
THE BRADFORD GROUP, by Stephen D. Mears, requests the rezoning of 34.9 acres, being in the A-2, D-3 and FP districts, to the D-3/FP classification to provide for single-family residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 172 and 174, 1989. Councillor Rhodes reported that the Administration Committee heard Proposal Nos. 172 and 174, , 1989, on March 27, 1989. PROPOSAL NO. 172, 1989, appropriates \$704,130 for the Department of Administration, Office of the Director, City Market, to provide financial support to the City Market Corporation in accordance with terms of the lease agreement. PROPOSAL NO. 174, 1989, requests the City-County Administrative Board to make a public purpose grant in the amount of \$704,130 to the Indianapolis City Market Corporation. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Golc expressed his concern of appropriating this large amount of money when the City has been encouraged to "review" large amounts of spending.

Councillor Rhodes clarified that this money has already been approved and this proposal allows the money to be transferred from the City Market Corporation to the Department of Administration.

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The President called for public testimony at 8:14 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal Nos. 172 and 174, 1989, were adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Stewart, Strader, West, Williams
1 NAY: Golc

Proposal No. 172, 1989, was retitled FISCAL ORDINANCE NO. 35, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Seven Hundred Four Thousand One Hundred Thirty Dollars (\$704,130) in the City Market Fund for purposes of the Department of Administration, Office of the Director, and reducing the unappropriated and unencumbered balance in the City Market 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 1989, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Office of the Director and City Market, to provide financial support to the City Market Corporation in accordance with terms of the lease agreement.

SECTION 2. The sum of Seven Hundred Four Thousand One Hundred Thirty Dollars (\$704,130) 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:

DEPARTMENT OF ADMINISTRATION	
<u>OFFICE OF THE DIRECTOR, CITY MARKET</u>	<u>CITY MARKET FUND</u>
3. Other Services & Charges	\$704,130
TOTAL INCREASE	\$704,130

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

	<u>CITY MARKET FUND</u>
Unappropriated and Unencumbered	
City Market Fund	\$704,130
TOTAL REDUCTION	\$704,130

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

Proposal No. 174, 1989, was retitled SPECIAL RESOLUTION NO. 24, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1989

A SPECIAL RESOLUTION requesting the City-County Administrative Board to make a public purpose grant in the amount of \$704,130 to the Indianapolis City Market Corporation.

WHEREAS, the Indianapolis City Market Corporation is an Indiana not-for-profit corporation formed for the sole and exclusive purpose of providing and perpetuating a historic fresh food market place for the use of the citizens of the City of Indianapolis in a manner consistent with the traditional and historic operation of the Indianapolis City Market since its founding; and

WHEREAS, the Indianapolis City Market Corporation, in support of these objectives, has entered into an agreement ("Agreement") with the City of Indianapolis through its Department of Administration ("City") to lease the Indianapolis City Market and all personal property, equipment, and fixtures of the City located thereon; and

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WHEREAS, in paragraph 6 of the Agreement the City agrees to provide sufficient funding in 1989 to complete all of the deferred maintenance items listed on Exhibit B to the Agreement; and

WHEREAS, the City believes that providing and perpetuating the Indianapolis City Market will benefit the public who will use the facility as well as generally enhancing the City's attractiveness, and it is in the public interest and benefit to promote and assist the Indianapolis City Market and that such promotion and assistance is a public use and purpose for which the City may expend public funds; and

WHEREAS, the City desires to make a public purpose grant to the Indianapolis City Market Corporation to fulfill the City's commitment under Paragraph 6 of the Agreement; and

WHEREAS, there are sufficient funds appropriated within the City of Indianapolis City Market Fund to provide for a public purpose grant of \$704,130; 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 recommends that the City-County Administrative Board make a public purpose grant of \$704,130 to the Indianapolis City Market Corporation under the provisions of Division 8 of Article X of the "Code of Indianapolis and Marion County, Indiana", for the purpose of completing all of the deferred maintenance items listed in Exhibit B to the lease agreement between the City of Indianapolis and the Indianapolis City Market Corporation and in fulfillment of the public purposes expressed above and on such terms and conditions as the City-County Administration Board deems appropriate and in the public interest.

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

PROPOSAL NO. 173, 1989. Councillor Rhodes reported that the Administration Committee heard Proposal No. 173, 1989, on March 27, 1989. The proposal appropriates \$29,200 for the Department of Administration, Purchasing Division, to position a purchasing agent in the Department of Public Works for greater proficiency in purchasing. 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 8:20 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Giffin, for adoption. Proposal No. 173, 1989, was adopted on the following roll call vote; viz:

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

Proposal No. 173, 1989, was retitled FISCAL ORDINANCE NO. 36, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Twenty-nine Thousand Two Hundred Dollars (\$29,200) in the Consolidated County Fund for purposes of the Department of Administration, Purchasing Division, and reducing the unappropriated and unencumbered balance in the Consolidated County 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 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of Department of Administration, Purchasing Division, to position a purchasing agent in the Department of Public Works for greater proficiency in purchasing.

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SECTION 2. The sum of Twenty-nine Thousand Two Hundred Dollars (\$29,200) 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:

DEPARTMENT OF ADMINISTRATION	
<u>PURCHASING DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$29,200
TOTAL INCREASE	\$29,200

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	\$29,200
TOTAL REDUCTION	\$29,200

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

PROPOSAL NO. 175, 1989. The proposal appropriates \$6,200 for the Washington Township Assessor to use temporary outside services to complete reassessment. Councillor Cottingham requested that this proposal be postponed until the next Council meeting, because it has not been heard in the County and Townships Committee. Without objection, the proposal was postponed.

PROPOSAL NO. 176, 1989. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 176, 1989, on April 6, 1989. The proposal appropriates \$250,000 for the Department of Parks and Recreation, Administration Division, to purchase forty acres with buildings and improvements at 1313 South Post Road and contingency to purchase replacement property for the Fall Creek Little League which is being displaced from its current location at Kessler Boulevard and Fall Creek Road. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mukes-Gaither asked for clarification as to why the Little League is being moved. Councillor Durnil explained that the present location was not owned by the league and scheduled for development.

Councillor Gilmer moved, seconded by Councillor Cottingham, to table Proposal No. 176, 1989, so there could be further study on the transfer.

Councillor Clark encouraged its passage, stating that there are volunteers that will build a concession stand and soccer field. The land will be used by the kids, as well as the senior citizens. Councillors Giffin, Strader and Stewart voiced their support for their proposal.

The motion to table failed on a voice vote.

The President called for public testimony at 8:43 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 176, 1989, was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Brooks, Clark, Dowden, Durnil, Giffin, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams
3 NAYS: Cottingham, Curry, Gilmer

2 NOT VOTING: Coughenour, Solenberg

Proposal No. 176, 1989, was retitled FISCAL ORDINANCE NO. 37, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Park Land Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Park Land 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 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation, Administration Division, to purchase forty acres with buildings and improvements at 1313 South Post Road and contingency to purchase replacement property for the Fall Creek Little League which is being displaced from its current location at Kessler Boulevard and Fall Creek Road.

SECTION 2. The sum of Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS AND RECREATION	
<u>ADMINISTRATION DIVISION</u>	<u>PARK LAND FUND</u>
4. Capital Outlay	\$250,000
TOTAL INCREASE	\$250,000

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

	<u>PARK LAND FUND</u>
Unappropriated and Unencumbered	
Park Land Fund	\$250,000
TOTAL REDUCTION	\$250,000

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

PROPOSAL NO. 177, 1989. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 177, 1989, on April 6, 1989. The proposal appropriates \$326,576 to the Department of Parks and Recreation, Administration Division, to complete the reconstruction and improvement project at Eagle Creek Golf Course. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:44 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Giffin, for adoption. Proposal No. 177, 1989, was adopted on the following roll call vote; viz:

- 25 YEAS: Borst, Boyd, Brooks, Cottingham, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams
- 0 NAYS
- 4 NOT VOTING: Clark, Coughenour, Howard, Solenberg

Proposal No. 177, 1989, was retitled FISCAL ORDINANCE NO. 38, 1989, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 38, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Three Hundred Twenty-six Thousand Five Hundred Seventy-six Dollars (\$326,576) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Park 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 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation, Administration Division, to complete the reconstruction and improvement project at Eagle Creek Golf Course.

SECTION 2. The sum of Three Hundred Twenty-six Thousand Five Hundred Seventy-six Dollars (\$326,576) 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:

DEPARTMENT OF PARKS AND RECREATION	
<u>ADMINISTRATION DIVISION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	\$326,576
TOTAL INCREASE	\$326,576

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	\$326,576
TOTAL REDUCTION	\$326,576

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

PROPOSAL NO. 180, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 180, 1989, on March 22, 1989. The proposal appropriates \$80,000 for the Prosecuting Attorney because agencies have increased their spending beyond their original budget appropriations. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 180, 1989, was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Irvin, Jones, McGrath, Moriarty, Rhodes, Schneider, SerVaas, Shaw, West, Williams*
0 NAYS
8 NOT VOTING: *Coughenour, Durnil, Golc, Howard, Mukes-Gaither, Solenberg, Stewart, Strader*

Proposal No. 180, 1989, was retitled FISCAL ORDINANCE NO. 39, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Eighty Thousand Dollars (\$80,000) in the Prosecutor's Law Enforcement Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Prosecutor's Law Enforcement Fund.

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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 (w) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Prosecuting Attorney because agencies have increased their spending beyond their original budget appropriations.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>PROSECUTOR'S LAW ENFORCEMENT FUND</u>
3. Other Services & Charges	\$10,000
4. Capital Outlay	<u>70,000</u>
TOTAL INCREASE	\$80,000

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

	<u>PROSECUTOR'S LAW ENFORCEMENT FUND</u>
Unappropriated and Unencumbered Prosecutor's Law Enforcement Fund	\$80,000
TOTAL REDUCTION	\$80,000

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

PROPOSAL NO. 181, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 181, 1989, on March 22, 1989. The proposal appropriates \$33,425 for the Prosecuting Attorney for the Metro Drug Task Force grant that was inadvertently left out of the original appropriation for purposes of overtime for a surrounding county agency. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:49 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 181, 1989, was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Curry, Dowden, Dumil, Giffin, Gilmer, Hawkins, Holmes, Jones, McGrath, Moriarty, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS

6 NOT VOTING: *Coughenour, Golc, Howard, Irvin, Mukes-Gaither, Stewart*

Proposal No. 181, 1989, was retitled FISCAL ORDINANCE NO. 40, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Thirty-three Thousand Four Hundred Twenty-five Dollars (\$33,425) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and

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reductions hereinafter stated for the purposes of the Prosecuting Attorney for the Metro Drug Task Force grant that was inadvertently left out of the original appropriation for purposes of overtime for a surrounding county agency.

SECTION 2. The sum of Thirty-three Thousand Four Hundred Twenty-five Dollars (\$33,425) 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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services & Charges	\$33,425
TOTAL INCREASE	\$33,425

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	\$33,425
TOTAL REDUCTION	\$33,425

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

PROPOSAL NO. 185, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 185, 1989, on March 29, 1989. The proposal authorizes the Mayor to execute a Service Lease Agreement between the City and Ameritech Credit Corporation for the purpose of financing the Service Agreement between the City and Indiana Bell Telephone Company, providing for the E-911 telephone service for Marion County. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Dowden moved, seconded by Councillor Curry, to amend Proposal No. 185, 1989, by substituting a new "Schedule B" in lieu of the existing "Schedule B". He explained that Fred Armstrong, City Controller, thought the meeting was the first Monday in April rather than the second Monday, and the interest rate had increased during that week. He indicated that the interest rate increased from 8.05% to 8.175%.

The amendment was adopted by voice vote.

The President called for public testimony at 9:00 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 185, 1989, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Dumil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Stewart, Strader, West, Williams*
 0 NAYS
 1 NOT VOTING: *Mukes-Gaither*

Proposal No. 185, 1989, was retitled SPECIAL RESOLUTION NO. 26, 1989, and reads as follows:

CITY COUNTY SPECIAL RESOLUTION NO. 26, 1989

A SPECIAL RESOLUTION authorizing the Mayor of the City of Indianapolis, Indiana to execute a Service Lease Agreement between the City of Indianapolis and Marion County, Indiana and Ameritech Credit Corporation for the purpose of financing the Service Agreement between the City and Indiana Bell Telephone Company, Incorporated providing for the Enhanced E-911 telephone service for Marion County.

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WHEREAS, on August 25, 1988 the City of Indianapolis, Indiana and Marion County, Indiana ("City/County") entered into an Enhanced 9-1-1 Service Agreement with the Indiana Bell Telephone Company, Incorporated ("Indiana Bell") whereby Indiana Bell agreed to provide an Enhanced 911 system ("~~Enhanced E-911~~ System") for the City/County (the "Service Agreement"); and

WHEREAS, under the Service Agreement the City/County is obligated to make periodic payments to Indiana Bell for the provision of the ~~Enhanced E-911~~ System service; and

WHEREAS, Ameritech Credit Corporation ("Ameritech") has offered to provide financing for the City/County's obligation under the Service Agreement through the vehicle of a Service Lease Agreement, by which the City/County will achieve considerable savings; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana, hereby find that it is in the best interest of the City/County to enter into the Service Lease Agreement with Ameritech as set forth herein; now, therefore:

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

SECTION 1. ~~The substantially final form of Service Lease Agreement between the City/County and Ameritech, a copy of which is attached hereto and made a part hereof as Exhibit A, is hereby approved and the Mayor of the City of Indianapolis, as Mayor of the City and as Chief Executive Officer of Marion County, Indiana (the "Mayor") is hereby authorized to execute such Service Lease Agreement with such insubstantial changes and modifications as he, upon the advice of counsel, deems appropriate, between the City/County and Ameritech, a copy of which is attached hereto and made a part hereof as Exhibit "A";~~ provided that the monthly lease rental payments to be paid under said Service Lease Agreement shall not exceed \$102,723.00.

SECTION 2. The Mayor is further authorized, together with other appropriate City and/or County officials, to execute such other documents, certificates and papers as are necessary to consummate the transaction authorized herein.

~~SECTION 3. The funds necessary to the payment of the obligation created by the Service Lease Agreement are hereby appropriated for that purpose.~~

SECTION 4. This ordinance and the transaction herein authorized shall be subject to the subsequent adoption and implementation of a resolution or ordinance lawfully adopted by the City-County Council imposing an enhanced emergency telephone system fee pursuant to IC 36-8-16 and to the adoption of state legislation authorizing transactions of the type authorized herein.

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

EXHIBIT A

SERVICE LEASE AGREEMENT

This Service Lease Agreement is entered into as of this ____ day of _____, 1989, by and between the City of Indianapolis, Indiana and the Marion County, Indiana ("Lessee") and Ameritech Credit Corporation, 149 West Central Road, Schaumburg, Illinois 60195 (Lessor). Lessor agrees to lease to Lessee and Lessee agrees to lease from Lessor the Service described in any Schedule A now or hereafter attached hereto ("Service") in accordance with the following terms and conditions of this Service Lease Agreement ("Lease").

1. TERM. This Lease will become effective upon the execution hereof by Lessor. The term of this Lease (hereinafter the "Lease Term") will commence on the date the Service is accepted pursuant to Section 3 hereunder and, unless earlier terminated as expressly provided for in this Lease, will continue until the final Lease Payment Date (the "Lease Payment Date") set forth in Schedule B attached hereto.

2. RENT. Lessee agrees to pay to Lessor or its assignee the lease payments including the interest thereon (herein the "Lease Payments"), equal to the amounts specified in Schedule B. The Lease Payments will be payable without notice or demand at the office of the Lessor (or such other place as Lessor or its assignee may from time to time designate in writing) and will commence on the first Lease Payment date as set forth in Schedule B and continue thereafter on the dates set forth in Schedule B, provided that no Lease Payments shall be made prior to the date that the Service is accepted pursuant to Section 4 hereof. Any payments received later than ten (10) days from the due date will bear interest at the highest lawful rate provided for in Schedule B plus 2% per annum from the due date. Except as specifically provided in Sections 3 and 5 hereof, the Lease Payments will be absolute and unconditional in all events and will not be subject to any set-off, defense, counterclaim, or recoupment for any reason whatsoever. Lessee reasonably believes that funds can be obtained sufficient to make all Lease Payments during the Lease Term and hereby covenants that it will do all things lawfully within its power to obtain, maintain and properly request and pursue funds

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from which the Lease Payments may be made, including making provisions for such payments to the extent necessary in each budget submitted to Lessee's governing body for the purpose of obtaining funding, using its bona fide best efforts to have such portion of the budget approved by Lessee's governing body and exhausting all available administrative reviews and appeals in the event such portion of the budget is not approved. It is Lessee's intent to make Lease Payments for the full Lease Term if funds are legally available therefor and in the regard Lessee represents that the use of the Service is essential to its proper, efficient and economic operation.

3. LIMITED OBLIGATION AND PLEDGE. The Lessee's obligation to pay Lease Payments and any other amounts due under this Lease is a limited obligation of the Lessee payable solely from moneys deposited in a special fund designated as the City of Indianapolis Emergency Telephone System Fund (the "Fund") created under the provisions of IC 36-8-16. This Lease does not constitute a general obligation of the City of Indianapolis, Indiana, Marion County, Indiana, or any of their special taxing districts, agencies or instrumentalities. Neither the faith and credit nor the general taxing power of the City of Indianapolis, Indiana or of Marion County, Indiana is or shall be pledged to the payment of the obligations of the Lessee under this Lease. The Lessee hereby irrevocably pledges any moneys contained in the Fund for the payment of the Lessee's obligations under this Lease.

34. DELIVERY AND ACCEPTANCE. Lessee, or if Lessee so requests, Lessor, will cause the Service to be delivered to Lessee at the location specified in Schedule A ("Service Location"). Lessee will pay all transportation and other costs, if any, incurred in connection with delivery of the Service. Lessee will accept the Service as soon as it has been delivered and is operational. Lessee will evidence its acceptance of the Service by executing and delivering to Lessor a Delivery and Acceptance Certificate in the form attached hereto as Exhibit A.

45. NON-APPROPRIATION OF FUNDS. Lessee's obligation to pay Lease Payments or other amounts due under this Lease shall be subject to annual appropriation by the governing body of the Lessee for such purposes. Notwithstanding anything contained in this Lease to the contrary, in the event no funds or insufficient funds are appropriated and budgeted by Lessee's governing body or are otherwise available by any means whatsoever in any fiscal period for Lease Payments or other amounts due under this Lease, this Lease shall terminate on the last day of the fiscal period for which appropriations were received, without penalty or expense to Lessee of any kind whatsoever, except as to the portions of Lease Payments or other amounts herein agreed upon for which funds shall have been appropriated and budgeted or are otherwise available. The Lessee will immediately notify the Lessor or its assignee of such occurrence. Notwithstanding the foregoing, Lessee agrees (i) that it will not cancel this Lease under the provisions of this Section if any funds are appropriated to it, or by it, for the acquisition, retention or operation of the Service or other service performing functions similar to the Service for the fiscal period in which such termination occurs ~~and~~ or the next succeeding fiscal period thereafter, and (ii) that it will not during the Lease Term give priority in the application of funds to any other functionally similar service. This Section will not be construed so as to permit Lessee to terminate this Lease in order to acquire any other Service or to allocate funds directly or indirectly to perform essentially the same application for which the Service is intended.

56. LESSEE CERTIFICATION. Lessee represents, covenants and warrants that: (i) Lessee is a State or a fully constituted political subdivision or agency of the State of the Service Location; (ii) the execution, delivery and performance by the Lessee of this Lease have been duly authorized by all necessary action on the part of the Lessee; (iii) this Lease constitutes a legal, valid and binding obligation of the Lessee enforceable in accordance with its terms; (iv) Lessee will comply with the information reporting requirements of Section 149(e) of the Code, as the same may be amended from time to time, and such compliance shall include but not be limited to the execution of information statements requested by Lessor; (v) Lessee will not do or cause to be done any act which will cause, or by omission of any act allow, the Lease to be an arbitrage bond within the meaning of Section 148(a) of the Code; (vi) Lessee will not do or cause to be done any act which will cause, or by omission of any act allow, this Lease to be a private activity bond within the meaning of Section 141(a) of the Code; (vii) Lessee will not do or cause to be done any act which will cause, or by omission of any act allow, the interest portion of the Lease Payments to be or become includible in gross income for Federal income taxation purposes under the Code; and (viii) Lessee will be the only entity to use and operate the Service during the Lease Term.

Lessee agrees that (i) it will do or cause to be done all things necessary to preserve and keep the Lease in full force and effect, (ii) it has complied with all bidding requirements where necessary and by due notification presented this Lease for approval and adoption as a valid obligation on its part, and (iii) it has or will take appropriate steps to obtain sufficient appropriations or other funds available to pay all amounts due hereunder for the current fiscal period.

67. ALTERATIONS. Lessee will not make any alterations, additions or improvements to the Service without Lessor's prior written consent unless such alterations, additions or improvements may be readily removed without damage to the Service.

78. INDEMNIFICATION. Lessee shall, to the extent permitted by law, indemnify Lessor or any assignee of Lessor against, and hold Lessor or any assignee of Lessor harmless from any and all claims, actions,

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proceedings, expenses, damages or liabilities, including attorney's fees and court costs, arising out of the negligence of Lessee in connection with the use of the Service.

8 9. ASSIGNMENT. Without Lessor's prior written consent, Lessee will neither (i) assign, transfer, pledge, hypothecate, grant any security interest in or otherwise dispose of this Lease or the Service or any interest in this Lease or the Service, nor (ii) sublet or lend the Service or permit it to be used by anyone other than Lessee or Lessee's employees. Lessor may assign its rights, title and interest in and to this Lease, the Service and any documents executed with respect to this Lease and/or grant or assign a security interest in this Lease and the Service, in whole or in part. Any such assignees shall have all of the rights of Lessor under this Lease. Subject to the foregoing, this Lease inures to the benefit of and is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto. Lessee hereby appoints Lessor its agent, during the Lease Term, for purposes of maintaining complete and accurate records of the name and address of all assignees or subsequent assignees of all or any of Lessor's right, title and interest herein. Lessor shall maintain such records in accordance with Section 149(a) of the Code and the regulations from time to time promulgated thereunder. No assignment or reassignment of any of Lessor's right, title or interest in this Lease shall be effective unless and until Lessor, as Lessee's agent, shall have received a notice of assignment disclosing the name and address of each such assignee; no further action will be required by Lessor or Lessee to evidence the assignment, but either Lessor or Lessee will acknowledge such assignments in writing if so requested by the other party.

Upon request by Lessor, Lessee shall name any such assignee or subsequent assignee as additional insured and loss payee in any such insurance policies obtained or in force. Any assignee of Lessor may reassign this Lease and its interest in the Service and the Lease Payments to any other person who, thereupon, shall be deemed to be Lessor's assignee hereunder.

9 10. EVENTS OF DEFAULT. The term "Event of Default", as used herein, means the occurrence of any one or more of the following events: (i) Lessee fails to make any Lease Payment (or any other payment) as it becomes due in accordance with the terms of the Lease, and any such failure continues for ten (10) days after the due date thereof; (ii) Lessee fails to perform or observe any other covenant, condition, or agreement to be performed or observed by it hereunder and such failure is not cured within (20) twenty days after written notice thereof by Lessor; (iii) The discovery by Lessor that any statement, representation, or warranty made by Lessee in this Lease or in any writing ever delivered by Lessee pursuant hereto or in connection herewith is false, misleading, or erroneous in any material respect; (iv) proceedings under any bankruptcy insolvency, reorganization or similar legislation shall be instituted against or by Lessee, or a receiver or similar officer shall be appointed for Lessee or any of its property, and such proceedings or appointments shall not be vacated, or fully stayed, within twenty (20) days after the institution or occurrence thereof; or (v) an attachment, levy or execution is threatened or levied upon or against the Service.

40 11. REMEDIES. Upon the occurrence of an Event of Default, and as long as such event of Default is continuing, Lessor may, at its option, exercise any one or more of the following remedies: (i) by written notice to Lessee, declare an amount equal to all amounts then due under the Lease, and all remaining Lease Payments due during the Fiscal Year in effect when the default occurs, to be immediately due and payable, whereupon the same shall become immediately due and payable to the extent of available funds; (ii) by written notice to the Lessee, request Lessee to (and Lessee agrees that it will), at Lessee's expense, promptly return the Service to the Lessor in the manner set forth in Section 5 hereof, or Lessor, at its option, may enter upon the premises where the Service is located and take immediate possession of and remove the same without demand or notice, without any court order or other process of law and without liability for any damage occasioned by taking possession; (iii) sell or lease the Service or sublease it for the account of Lessee, holding Lessee liable for all Lease Payments and other payments due as of the effective date of such selling, leasing or subleasing and for the difference between the purchase price, rental and other amounts paid by the purchaser, lessee or sublessee pursuant to such sale, lease or sublease and the amounts payable by Lessee hereunder; and (iv) exercise any other right, remedy or privilege which may be available to it under applicable law or by appropriate court action at law or in equity to enforce the terms of this Lease or to recover damages for the breach of this Lease or to rescind this Lease as to any or all of the Service. In addition, Lessee will remain liable, to the extent permitted by law, for all covenants and indemnities under this Lease and for all legal fees and other costs and expenses, including court costs, incurred by Lessor with respect to the enforcement of any of the remedies listed above or any other remedy available to Lessor.

44 12. CONDITIONS. This Lease and the obligations created herein shall be subject to:

(a) the lawful adoption and implementation of an ordinance or resolution by the City-County Council of the Lessee imposing an enhanced emergency telephone system fee pursuant to I.C. 36-8-16 in an amount sufficient to enable the Lessee to make the Lease Payments.

(b) the adoption of State Legislation by the Indiana General Assembly authorizing the Lessor to enter into an obligation such as this Lease.

(c) the delivery, prior to the execution of this Lease, of an Investment Letter in a form acceptable to the Lessee

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13. NOTICES. All notices to be given under this lease shall be made in writing and either personally delivered or mailed by certified mail, return receipt requested, to the other party at its address set forth herein or at such address as the party may provide in writing from time to time. Any such notice shall be deemed to have been received when delivered if delivered personally or five days subsequent to mailing.

14. SECTION HEADINGS. All section headings contained herein are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Lease.

15. GOVERNING LAW. This Lease shall be construed in accordance with, and governed by the laws of the state of Indiana.

16. DELIVERY OF RELATED DOCUMENTS. Lessee will execute or provide, as requested by Lessor, such other documents and information as are reasonably necessary with respect to the transaction contemplated by this Lease.

17. ENTIRE AGREEMENT: WAIVER. This Lease, together with the Delivery and Acceptance Certificate and other attachments hereto, and other documents or instruments executed by Lessee and lessor in connection herewith, constitute the entire agreement between the parties with respect to the lease of the Service, and this Lease shall not be modified, amended, altered, or changed except with the written consent of Lessee and Lessor. Any provision of this Lease found to be prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remainder of the Lease. The waiver by Lessor of any breach by Lessee of any term, covenant or condition hereof shall not operate as a waiver of any subsequent breach thereof.

18. EXECUTION IN COUNTERPARTS. This Lease may be executed in several counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

OPINION OF COUNSEL

With respect to that certain Service Lease Agreement ("lease") dated _____ by and between Ameritech Credit Corporation and the Lessee, I am of the opinion that: (i) the Lessee is, within the meaning of Section 103 of the internal Revenue Code of 1986, a State or a fully constituted political subdivision or agency of the State of the Service Location described in Schedule A hereto; (ii) the execution, delivery and performance by the Lessee of the Lease have been duly authorized by all necessary action on the part of the Lessee; and, (iii) the Lease constitutes a legal, valid and binding obligation of the Lessee enforceable in accordance with its terms, except as enforcement may be limited by bankruptcy, insolvency or other similar laws affecting creditors' rights generally and subject to the valid exercise of the constitutional power of the State of Indiana and of the United States of America.

Kristie L. Hill
Corporation Counsel

IN WITNESS WHEREOF the parties hereto have executed this lease as of the date first-written above.

Ameritech Credit Corporation
("Lessor")

City of Indianapolis and
Marion County, Indiana

By: _____

By: _____
William H. Hudnut, III
Mayor

Title: _____

EXHIBIT A

To that certain Service Lease Agreement ("Agreement") dated _____, 1989 between Ameritech Credit Corporation ("Lessor") and the City of Indianapolis and Marion County, Indiana ("Lessee").

CERTIFICATE OF ACCEPTANCE

The undersigned Lessee hereby acknowledges the receipt of the equipment necessary to initiate the service called for in the Agreement and hereby certifies that the Lessor has fully and satisfactorily performed all covenants and conditions to be performed under the Agreement.

ATTEST OR WITNESS:

(Signature) (Title)

CITY OF INDIANAPOLIS AND MARION
COUNTY, INDIANA

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William H. Hudnut, III, Mayor

(Date)

SCHEDULE A

To that certain Service Lease Agreement ("Agreement") dated _____, 1989 between Ameritech Credit Corporation ("Lessor") and the City of Indianapolis and Marion County, Indiana ("Lessee").

See attached Equipment Purchase Agreement or Sales Service Order Number _____ dated _____ between Lessee and Vendor

ATTEST OR WITNESS:

(Signature) (Title)

CITY OF INDIANAPOLIS AND MARION
MARION COUNTY, INDIANA

William H. Hudnut, III, Mayor

(Date)

SCHEDULE B

To that certain Service Lease Agreement ("Agreement") dated _____, 1989 between Ameritech Credit Corporation ("Lessor") and the City of Indianapolis and Marion County, Indiana ("Lessee").

SCHEDULE OF PAYMENTS

SERVICE COST	\$8,563,517
DOWN PAYMENT	\$410,892
AMOUNT TO FINANCE	\$8,152,625
TERM	120 months
SIMPLE INTEREST RATE	8.175%
120 PAYMENTS	\$98,994.88

TERM	PAYMENT AMOUNT	AMOUNT TO INTEREST	AMOUNT TO PRINCIPAL	CONCLUDING PAYMENT
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OR SEE AMORTIZATION SCHEDULE ATTACHED HERETO AND MADE A PART HEREOF

ATTEST OR WITNESS:

CITY OF INDIANAPOLIS AND MARION
COUNTY, INDIANA

William H. Hudnut, III, Mayor

(Date)

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 40, 1989. The proposal amends the Code by changing two-way stops to traffic signals at Kessler Boulevard, North Drive and the 38th Street North and South ramps. Councillor SerVaas indicated that the proposal will be postponed until the next meeting. Without objection, the proposal was postponed.

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PROPOSAL NO. 147, 1989. The proposal appropriates \$75,000 for the Department of Administration, Occupational and Community Services, to provide the City's portion of funding for the implementation of the Greater Indianapolis Commission of Youth. Councillor Rhodes asked that the proposal be postponed indefinitely. Without objection, the proposal was postponed indefinitely.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 178, 1989. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 178, 1989, on April 6, 1989. The proposal approves the sale of certain real estate of the Department of Parks and Recreation. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 178, 1989, was adopted on the following roll call vote; viz:

23 YEAS: Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

0 NAYS

6 NOT VOTING: Borst, Dowden, Golc, Moriarty, Solenberg, Williams

Proposal No. 178, 1989, was retitled SPECIAL RESOLUTION NO. 25, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1989

A SPECIAL RESOLUTION approving the sale of certain real estate of the Department of Parks and Recreation.

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

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3, the sale of the following real property by the Department of Parks and Recreation:

<u>LOCATION</u>	<u>APPRAISED VALUE</u>
7525 East 71st Street	\$250,000

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

PROPOSAL NO. 179, 1989. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 179, 1989, on April 6, 1989. The proposal authorizes the Department of Parks and Recreation to purchase certain real property. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 179, 1989, was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Brooks, Clark, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

2 NAYS: Cottingham, Gilmer

6 NOT VOTING: Borst, Coughenour, Golc, Moriarty, Solenberg, Williams

Proposal No. 179, 1989, was retitled GENERAL RESOLUTION NO. 3, 1989, and reads as follows:

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CITY-COUNTY GENERAL RESOLUTION NO. 3, 1989

A GENERAL RESOLUTION authorizing the Department of Parks and Recreation to purchase certain real property.

WHEREAS, IC 36-1-10.5-1 requires that the fiscal body of a political subdivision pass a resolution expressing its interest in purchasing real property when the price exceeds \$25,000; and

WHEREAS, the Department of Parks and Recreation desires to acquire real property for a park facility, the purchase price of which is anticipated to exceed \$25,000; 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 in accordance with I.C. 36-1-10.5-1, expresses interest in the purchase of real property located at 1313 South Post Road to be utilized for park purposes.

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

PROPOSAL NO. 182, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 182, 1989, on March 22, 1989. The proposal amends the Code, Section 2-358, by updating the funding of the County Corrections Fund. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 182, 1989, was adopted on the following roll call vote; viz:

21 YEAS: *Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

0 NAYS

8 NOT VOTING: *Borst, Golc, Hawkins, Howard, Moriarty, Schneider, Solenberg, Williams*

Proposal No. 182, 1989, was retitled GENERAL ORDINANCE NO. 27, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Article IX, Chapter 2, Section 2-358, County corrections fund.

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 Article IX, Chapter 2, Section 2-358, County corrections fund, be, and is hereby amended by inserting the words underlined and deleting the words stricken through as follows:

Sec. 2-358. County corrections fund.

(a) The city-county council hereby elects to receive deposits from the department of corrections in accordance with IC 11-12-6.

(b) The city-county council hereby elects to receive such deposits at level 3 funding. Level 3 funding shall be equal to \$3,500 times 84 (Marion County base integer) or \$294,000 for the year ending April 30, ~~1989~~ 1990.

(c) There is hereby created a "county corrections fund" to be administered by the city-county council. The fund shall consist of deposits received from the department of corrections in accordance with IC 11-12-6-13.

(d) The county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

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

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

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

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

PROPOSAL NO. 183, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 183, 1989, on March 22, 1989. The proposal amends the Code, Section I of Appendix B to add an additional holiday for police officers and by adding a new Section 5 to provide for death leave for police officers. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry asked about the wording in Section 5. He questioned the word "or" in the first sentence. Robert Elrod, General Counsel, stated that the wording would be clear with a comma inserted after the word "granddaughter". Without objection, a comma was inserted in the first sentence, after the word "granddaughter".

Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 183, 1989, was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Brooks, Cottingham, Coughenour, Curry, Dowden, Dumil, Giffin, Gilmer, Holmes, Howard, Irvin, Jones, McGrath, Mukes-Gaither, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

0 NAYS

8 NOT VOTING: *Boyd, Clark, Golc, Hawkins, Moriarty, Schneider, Solenberg, Williams*

Proposal No. 183, 1989, was retitled GENERAL ORDINANCE NO. 28, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by amending Section 1 of Part I of Appendix B to add an additional holiday for police officers and by adding a new Section 5 to provide for death leave for police officers.

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 Sec. 1 of Part I of Appendix B, be, and is hereby amended by deleting the words crosshatched and inserting the words underlined as follows:

Section 1. Holidays and Compensation.

Because of the nature of the work of the Indianapolis police force, many officers therein in the regular rotation of their duties are required to work on the following holidays when other citizens are free from the duties of their employment, to-wit:

New Year's Day
~~Decoration~~ Memorial Day

Thanksgiving Day
Christmas Day

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Labor Day
Independence Day
Veterans Day
~~Discovery~~ Columbus Day

Easter Sunday
~~Washington's Birthday~~
President's Day

Because of the pressures of police work and the around-the-clock requirement for those who are engaged in such work, it is deemed by this police special service district council that these days shall constitute bonus days, and they shall receive regular pay to compensate them for the service the entire police department must give on the foregoing holidays.

Effective January 1, 1990, an additional holiday, Martin Luther King Day, shall be added to the above list of holidays.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", be, and is hereby amended by inserting a new Section 5 to Part I of Appendix B to read as follows:

Sec. 5. Death Leave.

Upon the death of a member of the immediate family, i.e., spouse, mother, father, son, daughter, brother, sister, stepmother, stepfather, stepson, stepdaughter, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson and granddaughter, or other relative who was residing with the officer, an officer will receive a maximum of three (3) working days leave with pay. The chief has discretion to grant three (3) days for leave to be charged against any earned leave time for a death of someone other than those listed above. Documentation of the appropriate circumstances may be required of the officer, e.g., death certificate or article. Additional time off to be charged to earned leave time if available, or without pay may be granted at the discretion of the Chief.

SECTION 3. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NOS. 186, 187, 188, 189, 190, 191 and 192, 1989. Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 186, 187, 188, 189, 190, 191 and 192, 1989, on April 5, 1989. PROPOSAL NO. 186, 1989. The proposal amends the code by authorizing a traffic signal at the Lawrence Fire Station access drive (6350 East) at 86th Street. PROPOSAL NO. 187, 1989. The proposal amends the Code by authorizing a segment of Washington Street, from New Jersey Street to West Street, and a segment of Alabama Street, from Michigan Street to Virginia Avenue, to become one-way. PROPOSAL NO. 188, 1989. The proposal amends the Code by authorizing an 85 foot loading zone for Indiana Bell Telephone Company on Pierson Street. PROPOSAL NO. 189, 1989. The proposal amends the Code by authorizing a passenger and materials loading zone for L. S. Ayres on a portion of Meridian Street. PROPOSAL NO. 190, 1989. The proposal amends the Code by changing the segment of Elder Avenue between Washington Street and Maryland Street from a one-way southbound street to a two-way street. PROPOSAL NO. 191, 1989. The proposal amends the Code by authorizing a weight limit restriction on Kittley Road from Brookville Road to Vandergriff Road. PROPOSAL NO. 192, 1989. The proposal amends the code by authorizing the speed limit to be changed from 30 MPH to 25 MPH on Orinoco Avenue from Southport Road to Banta Avenue. By 5-0 votes, the Committee reported Proposal Nos. 186, 187, 188, 190, 191 and 192, 1989, to the Council with the recommendation that they do pass. By a 4-1 vote, the Committee reported Proposal No. 189, 1989, to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Curry, for adoption.

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Proposal Nos. 186, 188, 189, 190, 191 and 192, 1989, were adopted on the following roll call vote; viz:

25 YEAS: *Borst, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

0 NAYS

4 NOT VOTING: *Boyd, Hawkins, Solenberg, Williams*

Proposal No. 187, 1989, was adopted on the following roll call vote; viz:

24 YEAS: *Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Borst*

4 NOT VOTING: *Boyd, Hawkins, Solenberg, Williams*

Proposal No. 186, 1989, was retitled GENERAL ORDINANCE NO. 29, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1989

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5, Pg. 2	Lawrence Fire Station (6350 E.) and 86th St	None	Signal

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

Proposal No. 187, 1989, was retitled GENERAL ORDINANCE NO. 30, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

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 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND

Alabama Street, from Michigan Street to
Washington Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

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WESTBOUND

Washington Street, From New Jersey to
West Street

SOUTHBOUND

Alabama Street, from Michigan Street to
Virginia Avenue

EASTBOUND

Maryland Street connection to Washington Street,
from Alabama Street to New Jersey Street

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

Proposal No. 188, 1989, was retitled **GENERAL ORDINANCE NO. 31, 1989**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 1989

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 addition of the following, to wit:

Pierson Street, on the east side, from a point 40 feet
south of New York Street to a point 125 feet
south of New York Street.

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

Proposal No. 189, 1989, As Amended, was retitled **GENERAL ORDINANCE NO. 32, 1989**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 1989

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 addition of the following, to wit:

Meridian Street, on the west side, from a point 161 feet
south of Washington Street to a point 308 feet south of Washington
Street, except for 27 foot parking restriction on Pearl Street.

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

Proposal No. 190, 1989, was retitled **GENERAL ORDINANCE NO. 33, 1989**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

April 10, 1989

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 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND

Elder Avenue, from Washington Street to
Maryland Street.

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

Proposal No. 191, 1989, was retitled GENERAL ORDINANCE NO. 34, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, 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 29-224, 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

Kittley road, from Brookville Road to
Vandergriff Road.

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

Proposal No. 192, 1989, was retitled GENERAL ORDINANCE NO. 35, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limit.

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 29-136, Alteration of prima facie speed limit, be, and the same is hereby amended by the addition of the following, to wit:

Orinoco Avenue, from Southport Road to Banta Avenue,
excluding the town boundaries of Homecroft, 25 MPH.

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

PROPOSAL NO. 193, 1989. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 193, 1989, on April 5, 1989. The proposal amends the Code by authorizing a traffic signal at Riverside Drive and 29th Street. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor Curry, for Proposal No. 193, 1989, be stricken. The proposal was stricken by consent.

NEW BUSINESS

Councillor Coughenour indicated that the Metro Bus Company was willing to move the bus stop located outside of the City-County Building on Delaware Street, to further south of Washington, once a segment of Washington Street became one-way. With Proposal No. 187, 1989, being adopted, she encouraged the Municipal Corporations Committee to look into this matter. Councillor Clark indicated that he would.

ANNOUNCEMENTS AND ADJOURNMENT

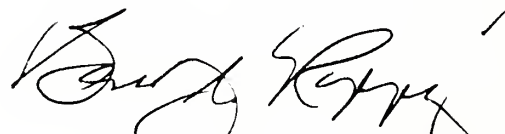
There being no further business, upon motion duly made and seconded, the meeting adjourned at 9:25 p.m.

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 10th day of April, 1989.

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


President

ATTEST:


Clerk of the Council

(SEAL)