

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

**REGULAR MEETINGS
MONDAY, MAY 20, 1991**

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 7:10 p.m. on Monday, May 20, 1991, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Rhodes acknowledged the representatives from the following schools who were present in support of Proposal No. 226, 1991: Indiana University-Purdue University at Indianapolis, Arsenal Technical High School, Indianapolis Public Schools and Franklin Township Schools.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, May 20, 1991, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

May 2, 1991

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, May 9, 1991, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 113, 227, 228 and 229, 1991, to be held on Monday, May 20, 1991, at 7:00 p.m., in the City-County Building.

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

May 3, 1991

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, May 9, 1991, a copy of LEGAL NOTICE on General Ordinance No. 49, 1991.

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

April 30, 1991

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 27, 1991, amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 95, 1990) appropriating an additional One Million Seven Hundred Thousand Dollars (\$1,700,000) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Division of Administration (Solid Waste Disposal), and reducing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

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FISCAL ORDINANCE NO. 28, 1991, amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 95, 1990) appropriating an additional Two Hundred Thirty-seven Thousand One Hundred and Fifty Dollars (\$237,150) in the Metropolitan Emergency Communications Fund for purposes of the Metropolitan Emergency Communications Agency and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Fund.

FISCAL ORDINANCE NO. 29, 1991, amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 95, 1990) transferring and appropriating an additional Three Hundred Four Dollars (\$304) in the County General Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that office.

GENERAL ORDINANCE NO. 49, 1991, adding a new section 23-11 to Chapter 23, Article 1 of the Code of Indianapolis and Marion County, Indiana to provide benefits to those public employees called upon for active military duty in Operation Desert Shield and Operation Desert Storm.

SPECIAL ORDINANCE NO. 3, 1991, approving the establishing of the Airport Industrial Economic Development Area.

SPECIAL RESOLUTION NO. 42, 1991, thanking those involved with the 1991 NCAA Final Four Tournament.

SPECIAL RESOLUTION NO. 43, 1991, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 44, 1991, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 45, 1991, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 46, 1991, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 47, 1991, authorizing the purchase of approximately twelve thousand five hundred (12,500) square feet of real property in the 2500 block of West Michigan Street by the Department of Public Safety for use as a parking lot by the Quadrant IV/Traffic Branch headquarters of the Indianapolis Police Department.

SPECIAL RESOLUTION NO. 48, 1991, authorizing the purchase of approximately twelve thousand seven hundred (12,700) square feet of real estate located at 2526-2530 West Michigan Street by the Department of Public Safety for use as a parking lot by the Quadrant IV/Traffic Branch headquarters of the Indianapolis Police Department.

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

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of April 22, 1991. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 271, 1991. The proposal, sponsored by Councillors O'Dell and Ruhmkorff, recognizes General H. Norman Schwarzkopf. It also announces that a Kodiak

bear at the Indianapolis Zoo will be named after the general. Councillor O'Dell read the resolution and stated that a framed document will be presented to the general on May 25, 1991 when he arrives in Indianapolis for the 500-Mile Race. Councillor Ruhmkorff presented a copy of the proposal to Roy Shea, President of the Indianapolis Zoo, who expressed his appreciation for the document. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 271, 1991 was adopted by unanimous voice vote.

Proposal No. 271, 1991 was retitled SPECIAL RESOLUTION NO. 49, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1991

A SPECIAL RESOLUTION recognizing General H. Norman Schwarzkopf.

WHEREAS, during late 1990 and early 1991 General H. Norman Schwarzkopf, as commander in chief of the U.S. Central Command, successfully led the multinational coalition force in Operation Desert Shield and Operation Desert Storm against an aggressors' million-man army in the Middle East; and

WHEREAS, this conflict was America's largest military operation since Vietnam, and was eminently successful; and

WHEREAS, General Schwarzkopf of Trenton, New Jersey is the son of a military general; served two tours of duty in Vietnam; and has earned the Distinguished Service Medal, two Purple Heart medals, three Silver Stars and three Bronze Stars; and

WHEREAS, the general is a "soldier's soldier," who considers taking care of his troops to minimize casualties as his highest priority; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks General H. Norman Schwarzkopf for his outstanding job as commander of the coalition forces in Operation Desert Shield and Operation Desert Storm, and for minimizing American casualties.

SECTION 2. Because the general is known as "The Bear," the Council, in cooperation with the Indianapolis Zoo, extends its appreciation by hereby naming a Kodiak bear at the Indianapolis Zoo, "General H. Norman Schwarzkopf."

SECTION 3. The people of Indianapolis wish the best of future health and happiness to General Schwarzkopf, his wife Brenda, and to their three children; and hope that he can soon be able to spend more time with his hobbies of skeet and trap shooting, hunting and fishing.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 272, 1991. This proposal, sponsored by Councillor Golc, recognizes the Institute for Creative Enterprise and IPS School 56's "Project Garden". Councillor Golc read the resolution and presented framed copies to Darlene Gosnell, special education teacher at School 56, and Brenda Bush, president of the Institute for Creative Enterprise, and both expressed their appreciation for the recognition. Councillor Golc moved, seconded by Councillor Cottingham, for adoption. Proposal No. 272, 1991 was adopted by unanimous voice vote.

Proposal No. 272, 1991 was retitled SPECIAL RESOLUTION NO. 50, 1991 and reads as follows:

May 20, 1991

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1991

A SPECIAL RESOLUTION recognizing the Institute for Creative Enterprise and IPS School 56's "Project Garden".

WHEREAS, the Institute for Creative Enterprise is a new Indianapolis non-profit organization which encourages innovative educational programs; and

WHEREAS, the Institute's first endeavor is "Project Garden", an outdoor classroom garden created by special education teacher Darlene Gosnell and her class at School 56 at 23rd and Columbia Streets; and

WHEREAS, this visionary educational aid exists because of the persistence of a dedicated teacher, coordination by the Institute, and because of the generosity of citizens and businesses; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and applauds the Institute for Creative Enterprise for its vision and leadership; teacher Darlene Gosnell for pursuing "Project Garden" for her students; and the many individuals and businesses for contributing their time, money and expertise to help School 56's "Project Garden".

SECTION 2. It is only a small plot of wildflowers, vegetables, roses, herbs and a bird haven next to an elementary school. But it is many young people's first hands-on experience with a garden, plants, flowers, bird study, horticultural science and genetics; a first exposure to a dream tenaciously pursued; the realization that a vacant lot can be made beautiful; that even strangers can care; that planning ahead for the next season can be more important than aimlessness; that even young people are important for soil and wildlife conservation; and that this little piece of dirt will touch the future by inspiring some 21st century minds and attitudes.

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. 273, 1991. This proposal, sponsored by Councillor Irvin, recognizes the April 20, 1991 White River cleanup and the 500 volunteers involved with the project. Councillor Irvin read the resolution and presented a framed document to Ron Spraez, President of National Starch and Chemical Corporation, who expressed his appreciation to the Council for its cooperation with the cleanup. Copies of the resolution will be sent to all the organizations and corporations that participated in the White River cleanup. Councillor Irvin moved, seconded by Councillor West, for adoption. Proposal No. 273, 1991 was adopted by unanimous voice vote.

Proposal No. 273, 1991 was retitled SPECIAL RESOLUTION NO. 51, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1991

A SPECIAL RESOLUTION recognizing the April 20, 1991, White River cleanup.

WHEREAS, on Saturday, April 20, 1991, more than 500 volunteers did more than just discuss the environment, they were busy doing something about it by cleaning up 63 tons of trash at 13 sites along the White River in Marion County; and

WHEREAS, seventeen corporate sponsors helped in this cleanup by paying for protective gear, food and supplies; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks volunteers from the following organizations for their help in making Indianapolis clean and healthy: Girl Scout Troops 625 and 1498, Brownies Troop 1351, National Starch & Chemical employees, Cub Scout Pack 655, Fountain Square United Methodist Youth Fellowship, Heather Hills Elementary School, Jordan YMCA Indian Guides, Future Leaders

of Indianapolis, Hillside Neighborhood Organization, A.W. Butler Audubon Society, Eli Lilly & Co. employees, Greater Indianapolis Sertoma, IPL employees, BDMD, Inc. "River Stormers", Near Eastside Cleaners, Social Action Committee 2000, Inc., LaRue Carter Memorial Hospital, Creston National Junior Honor Society, River Rat Cleanup Crew, Greater Greenwood Kiwanis Sunrise Club, Jerry Karwowski's Kiwanis Group, Southport AWT X-mas Club Teams, LeGore Boys & Girls Club, Franklin Township Middle School, Marion County Young Republicans, Community Corrections Agency and Center Township Trustee's Office.

SECTION 2. The Council further extends its appreciation to the following firms for their financial assistance for the cleanup: American United Life Insurance Co., Bunzel, Inc., Capital Vending, Diamond Chain, Friends of the White River, Glad Bags, Inc., IPL, Kroger Company, Nora-Northside Community Council, National Starch & Chemical, Polar Ice, Inc., Reilly Industries, Inc., Wal-Mart, Wishard Hospital Eli Lilly & Company, Curtis Publishing and Indianapolis Water Company.

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. 274, 1991. This proposal, sponsored by Councillor Irvin, acknowledges the April 27, 1991 Garfield Park cleanup and recognizes the Organized Alliance for Southside Indianapolis Schools (OASIS) for their work in the project. Councillor Irvin read the resolution and presented a framed document to Katherine Tichenor, Principal of Central Catholic and a representative from OASIS, who thanked the Council for its cooperation in the cleanup. Copies of the resolution will be sent to all the schools that participated in the White River cleanup. Councillor Irvin moved, seconded by Councillor West, for adoption. Proposal No. 274, 1991 was adopted by unanimous voice vote.

Proposal No. 274, 1991 was retitled SPECIAL RESOLUTION NO. 52, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1991

A SPECIAL RESOLUTION acknowledging the April 27, 1991, Garfield Park Cleanup.

WHEREAS, as a part of "I'm A Play It Clean Kid" environmental education week, the Indianapolis Clean City Committee and the Organized Alliance for Southside Indianapolis Schools (OASIS) coordinated a major cleanup; and

WHEREAS, on April 27, 1991, 247 school students, 78 parents and 38 teachers put neighborhood cleanliness and the environment ideas into action at Indianapolis Public Schools 34, 65, 72, 112 and 114, and Emmaus Lutheran School, Central Catholic School and at Garfield Park; and

WHEREAS, they cleaned up the schools and park grounds, and marked the event by planting a tree at each school, with Deputy Mayor Paula Parker-Sawyers helping plant the first tree; 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 acknowledges and commends the 363 students, parents and faculty of Indianapolis Public Schools 34, 65, 72, 112 and 114, Emmaus Lutheran School, and Central Catholic School for the successful April 27, 1991, cleanup.

SECTION 2. The Council makes special note of the coordination work of the Indianapolis Clean City Committee and the Organized Alliance for Southside Indianapolis Schools, and for the special assistance of Mr. Bud Martin of Bud's Supermarket in Fountain Square, and Andy J. Francis of McDonald's Restaurants.

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. 275, 1991. This proposal, sponsored by Councillor Jones, memorializes William E. Henry. Councillor Jones read the resolution and presented a framed document

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to George Henry, brother of William Henry, who expressed his appreciation for the resolution. Also present were many family members and friends of Mr. Henry. Councillor Jones moved, seconded by Councillors Howard and Shaw, for adoption. Proposal No. 275, 1991 was adopted by unanimous voice vote.

Proposal No. 275, 1991 was retitled SPECIAL RESOLUTION NO. 53, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1991

A SPECIAL RESOLUTION memorializing William E. Henry.

WHEREAS, William E. Henry, who departed this earthly life on April 19, 1991, was a shining example of the Great American Free Enterprise Dream; born into a sharecropper's family, he earned a college degree, entered the business world, was able to buy a coveted McDonald's restaurant franchise, bought and sold additional restaurants, and invested in an inner-city strip shopping center at 25th Street and Keystone Avenue; and

WHEREAS, Mr. Henry was frequently recognized for his leadership role in Indianapolis' Black business community; and

WHEREAS, his positive influence will continue to live on for many years to come in the form of those young African-American teens whom he steered away from drugs and aimless street existence into gainful employment and self-confidence, and for his advocacy of testing for sickle cell anemia disease; 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 pauses to recognize the many contributions of William E. Henry to the Indianapolis community.

SECTION 2. The Council extends its condolences to Mr. Henry's mother Barsenia Henry Cherry; daughter LaWanda Henry; and brothers George, John Melvin, Howard, Robert and C. Darrell Henry.

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. 276, 1991. This proposal, sponsored by Councillor Giffin, memorializes James Kellum. Councillor Giffin read the resolution and presented a framed document to Roberta Kellum, his widow, who expressed her appreciation for the resolution. Councillor Giffin moved, seconded by Councillor Cottingham, for adoption. Proposal No. 276, 1991 was adopted by unanimous voice vote.

Proposal No. 276, 1991 was retitled SPECIAL RESOLUTION NO. 54, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1991

A SPECIAL RESOLUTION memorializing James Kellum.

WHEREAS, James Kellum, who served the citizens of Decatur Township, Marion County, as Decatur Township Assessor from 1963 through 1978, did pass this earthly life on May 12, 1991; and

WHEREAS, Mr. Kellum owned Kellum Regal Store in Camby for 30 years, was active in the Friends Church, was a trustee of Fairfield Friends Cemetery for 44 years, was a charter member of the Decatur Central Lions Club, was active in the Decatur Civic Council, the Decatur Friends of the Library, the Decatur Township Historical Society, and had been a Republican Precinct Committeeman; and

WHEREAS, the wisdom and guidance of James Kellum will be sorely missed by all those who knew him; 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 solemnly recognizes the loss of James Kellum, a stalwart leader in Decatur Township of Marion County, and the township's elected assessor for 16 years.

SECTION 2. The Council extends its deepest sympathy to Mr. Kellum's widow, Roberta; their three daughters; and to his brother, Paul Kellum.

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. 277, 1991. This proposal, sponsored by Councillor Strader, concerns Mr. Choice Edwards. Councillor Strader read the resolution and stated that a framed copy of the document will be presented to Mr. Edwards at a later date. Councillor Strader moved, seconded by Councillor Shaw, for adoption. Proposal No. 277, 1991 was adopted by unanimous voice vote.

Proposal No. 277, 1991 was retitled SPECIAL RESOLUTION NO. 55, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1991

A SPECIAL RESOLUTION concerning Mr. Choice Edwards.

WHEREAS, only great people can make a city great, and Choice Edwards has been such a person in the city of Indianapolis; and

WHEREAS, Mr. Edwards was co-chairman of the city's first big annual downtown Fourth of July celebration, was elected to the Indiana House of Representatives in 1968 and 1970, was Indiana Bell Telephone Company's first Manager of Urban Affairs, has served on the Boards of the Greater Indianapolis Progress Committee, Meridian-Kessler Neighborhood Association, the NAACP, Urban League, the Governor's Housing Study Commission, the Community Services Council and the new Marion County Commission on Youth; and

WHEREAS, Mr. Edwards has been recognized as the Citizen of the Month by the Indianapolis Police Department for an act of heroism, was elected to a four year term on the Washington Township School Board and served as President of that board for two years; and

WHEREAS, he served as Deputy Director of the Indianapolis office of the federal Department of Housing and Urban Development from November, 1970, until accepting a promotion to become Manager of the Pittsburgh HUD office in May, 1990; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Choice Edwards for his generous contribution of time and talents to the life of Indianapolis, and congratulates him upon his job promotion within the Department of Housing and Urban Development.

SECTION 2. The Council wishes Mr. Edwards the best of success in his new city, and beseeches Pittsburgh to make welcome this extraordinary person.

SECTION 3. The Council requests that a copy of this Special Resolution be posted to Jack Kemp, Secretary of the Department of Housing and Urban Development.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor Gilmer introduced Ralph Jones, Jr. who is the Republican candidate in District No. 9 for Council.

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PROPOSAL NOS. 200, 222, 223, 224, 225, 231, 234 and 255, 1991. The President asked for consent to vote on all the appointments together. Consent was given. PROPOSAL NO. 200, 1991. This proposal reappoints Doris Stigler to the Community Centers of Indianapolis Board. PROPOSAL NO. 222, 1991. This proposal reappoints Dwight Cottingham to the Marion County Board of Tax Adjustment. PROPOSAL NO. 223, 1991. This proposal reappoints Donald J. Hargadon to the Cable Franchise Board. PROPOSAL NO. 224, 1991. This proposal reappoints Joseph M. Rink to the Cable Franchise Board. PROPOSAL NO. 225, 1991. This proposal reappoints Robert G. Lugar to the Cable Franchise Board. PROPOSAL NO. 231, 1991. This proposal reappoints Philip Borst to the Indianapolis-Marion County Forensic Services Board. PROPOSAL NO. 234, 1991. This proposal reappoints Fred G. Johnston to the Board of Ethics. PROPOSAL NO. 255, 1991. This proposal reappoints Jack H. Hall, M.D. to the Board of Public Works. The President stated that all the proposals were passed unanimously in committee and asked for a voice vote on the eight proposals. Proposal Nos. 200, 222, 223, 224, 225, 231, 234 and 255, 1991 were adopted by unanimous voice vote.

Proposal No. 200, 1991 was retitled COUNCIL RESOLUTION NO. 37, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1991

A COUNCIL RESOLUTION reappointing Doris Stigler to the Community Centers of Indianapolis Board.

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

SECTION 1. As a member of the Community Centers of Indianapolis Board, the Council reappoints:

Doris Stigler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 222, 1991 was retitled COUNCIL RESOLUTION NO. 38, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1991

A COUNCIL RESOLUTION reappointing Dwight Cottingham to the Marion County Board of Tax Adjustment.

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

SECTION 1. As a member of the Marion County Board of Tax Adjustment, the Council reappoints:

Dwight Cottingham

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 223, 1991 was retitled COUNCIL RESOLUTION NO. 39, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1991

A COUNCIL RESOLUTION reappointing Donald J. Hargadon to the Cable Franchise Board.

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

SECTION 1. As a member of the Cable Franchise Board, the Council reappoints:

Donald J. Hargadon

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 224, 1991 was retitled COUNCIL RESOLUTION NO. 40, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1991

A COUNCIL RESOLUTION reappointing Joseph M. Rink to the Cable Franchise Board.

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

SECTION 1. As a member of the Cable Franchise Board, the Council reappoints:

Joseph M. Rink

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 225, 1991 was retitled COUNCIL RESOLUTION NO. 41, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1991

A COUNCIL RESOLUTION reappointing Robert G. Lugar to the Cable Franchise Board.

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

SECTION 1. As a member of the Cable Franchise Board, the Council reappoints:

Robert G. Lugar

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 231, 1991 was retitled COUNCIL RESOLUTION NO. 42, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1991

A COUNCIL RESOLUTION reappointing Philip Borst to the Indianapolis-Marion County Forensic Services Board.

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

SECTION 1. As a member of the Indianapolis-Marion County Forensic Services Board, the Council reappoints:

Philip Borst

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SECTION 2. The appointment made by this resolution is for a term ending March 14, 1992. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 234, 1991 was retitled COUNCIL RESOLUTION NO. 43, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1991

A COUNCIL RESOLUTION reappointing Fred G. Johnston to the Board of Ethics.

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

SECTION 1. As a member of the Board of Ethics, the Council reappoints:

Fred G. Johnston

SECTION 2. The appointment made by this resolution is for a term ending April 13, 1993. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 255, 1991 was retitled COUNCIL RESOLUTION NO. 44, 1991 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1991

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Board of Public Works.

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

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Jack H. Hall, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 260, 1991. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the execution by the City of a lease with the Building Authority for the Belmont Garage"; and the President referred it to the Administration Committee.

PROPOSAL NO. 261, 1991. Introduced by Councillor Holmes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requiring for-profit entities with offices in the City-County Building to pay rent and expenses for use of such space"; and the President referred it to the Administration Committee.

PROPOSAL NO. 262, 1991. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,000 for the County Sheriff to pay overtime expenses in cooperation with the Governor's Task Force to Reduce Drunk Driving during the period from May 2-September 2, 1991"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 263, 1991. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$266,466 for the Metropolitan Emergency Communications Agency to fund nine new maintenance positions, purchase equipment and to pay for the transfer of equipment from the City-County Building to the Willard Park facility"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 264, 1991. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$104,199 of Home Detention User Fees for the Community Corrections Agency to pay for personnel, equipment and supply costs during the 1991-92 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 265, 1991. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$687,945 for the Community Corrections Agency from the Indiana Department of Corrections Grant for the 1991-92 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 266, 1991. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,460,000 for the Department of Transportation, Operations Division, to pay for salt purchases, traffic signal interconnect projects, CEMD charges, building materials and an asphalt pug mill"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 267, 1991. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$230,000 for the Department of Transportation, Finance and Administration Division, to pay for the renovation of the quality control office and testing lab and to purchase computer equipment and software"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 268, 1991. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for the Department of Transportation, Development Division, to pay an outside printing contractor for the reproduction of bid plans and specifications"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 269, 1991. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Central Avenue and 63rd Street (District No. 6)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 270, 1991. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to reflect the renaming of Springwater Drive to Bay Brook Drive, authorizing intersection controls in the Admirals Bay Subdivision and at various other locations (District Nos. 5, 6, 14, 19, 25)"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 259, 1991. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 259, 1991 on May 1, 1991. The proposal amends Special Resolution No. 72, 1990 by extending the expiration date on the inducement resolution for Homeward Partners, Inc. to December 31, 1991. 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 Moriarty, for adoption. Proposal No. 259, 1991 was adopted on the following roll call vote; viz:

17 YEAS: Borst, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Golc, Holmes, Moriarty, O'Dell, Schneider, SerVaas, Shaw, Solenberg, Strader, West

0 NAYS:

10 NOT VOTING: Boyd, Brooks, Gilmer, Howard, Irvin, Jones, McGrath, Rhodes, Ruhmkorff, Williams

2 NOT PRESENT: Hawkins, Mukes-Gaither

Proposal No. 259, 1991 was retitled SPECIAL RESOLUTION NO. 56, 1991 and reads as follows:

CITY COUNTY SPECIAL RESOLUTION NO. 56, 1991

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 72, 1990, (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 Homeward Partners, Inc., an Indiana corporation (the "Company") which Inducement Resolution set an expiration date of May 31, 1991 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the term of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of May 31, 1991 contained therein and replacing said date with the date of December 31, 1991.

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

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

PROPOSAL NO. 278, 1991. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on May 17, 1991". The Council did not schedule Proposal No. 278, 1991 for hearing pursuant to IC 36-7-4-608. Proposal No. 278, 1991 was retitled REZONING ORDINANCE NO. 65, 1991 and is identified as follows:

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REZONING ORDINANCE NO. 65, 1991. 90-Z-208/90-DP-5 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
4545 MITTHOEFFER ROAD, INDIANAPOLIS.
TRI INDY, INC., by Raymond Good, requests the rezoning of 96.8 acres, being in the D-A district, to the D-P classification to provide for residential development.

PROPOSAL NOS. 279 and 280, 1991. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 17, 1991". The Council did not schedule Proposal Nos. 279 and 280, 1991 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 279 and 280, 1991 were retitled REZONING ORDINANCE NOS. 56 and 57, 1991 and are identified as follows:

REZONING ORDINANCE NO. 56, 1991. 91-Z-6 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
6949 WEST MORRIS STREET, INDIANAPOLIS.
JOHN E. SMITH requests the rezoning of 16 acres, being in the D-A district, to the D-4 classification to provide for single-family housing.

REZONING ORDINANCE NO. 57, 1991. 91-Z-36 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7
5910 NORTH KEYSTONE AVENUE, INDIANAPOLIS.
RONALD SHEPPARD, JOSEPH FORTUNATO, DORIS THOMAS and GENE SOLMOS, by Raymond Good, request the rezoning of .87 acre, being in the D-3 district, to the C-1 classification to provide for an office building.

PROPOSAL NO. 281-287, 1991. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 17, 1991". The Council did not schedule Proposal Nos. 281-287, 1991 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 281-287, 1991 were retitled REZONING ORDINANCE NOS. 58-64, 1991 and are identified as follows:

REZONING ORDINANCE NO. 58, 1991. 91-Z-8 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6
520 WEST 46TH STREET, INDIANAPOLIS.
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 1.144 acres, being in the UQ-2 district, to the D-5 classification to provide for the development of single-family housing.

REZONING ORDINANCE NO. 59, 1991. 91-Z-39A FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
5361 EAST STOP ELEVEN ROAD, INDIANAPOLIS.
ST. FRANCIS HOSPITAL CENTER, by J. Lee Robbins, requests the rezoning of 74.82 acres, being in the D-A/FP district, to the HD-1/FP classification to provide for the development of a hospital and other related facilities.

REZONING ORDINANCE NO. 60, 1991. 91-Z-39B FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
5361 EAST STOP ELEVEN ROAD (REAR), INDIANAPOLIS.
ST. FRANCIS HOSPITAL CENTER, by J. Lee Robbins, requests the rezoning of 33.03 acres, being in the D-A/FP district, to the HD-2/FP classification to provide for the development of hospital related facilities.

REZONING ORDINANCE NO. 61, 1991. 91-Z-41 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
5301 EAST SOUTHPORT ROAD, INDIANAPOLIS.
MEIJER REALTY COMPANY, by Thomas Michael Quinn, requests the rezoning of 36.43 acres, being in the I-2-S district, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 62, 1991. 91-Z-44 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
913 WEST TROY AVENUE (APPROXIMATE ADDRESS), INDIANAPOLIS.

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ELIZABETH THANE, by Michael J. Kias, requests the rezoning of 3.59 acres, being in the D-A/FP district, to the C-ID/FP classification to provide for the development and use of the property as a truck storage and maintenance facility for a road construction contracting company.

REZONING ORDINANCE NO. 63, 1991. 91-Z-46 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
3030 EAST KESSLER BOULEVARD, INDIANAPOLIS.

INDIANAPOLIS MONTHLY MEETING OF FRIENDS requests the rezoning of 7.36 acres, being in the D-3 district, to the SU-1 classification to provide for the continued use of a church.

REZONING ORDINANCE NO. 64, 1991. 91-Z-47 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
1154 DIVISION STREET, INDIANAPOLIS.

INDIANAPOLIS POWER AND LIGHT, by Robert C. Crews II, requests the rezoning of 1.41 acres, being in the SU-7/FP district, to the I-3-U/FP classification to provide for use as a warehouse to store equipment and materials.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 109, 1991. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 109, 1991 on April 24, 1991. The proposal appropriates \$427,620 for the Presiding Judge of the Municipal Court to pay the following expenses for the Public Defender's Office and the Domestic Violence Court: additional staff, supplies, Pauper Appeals and miscellaneous items. By a 4-2-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 109, 1991 was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Brooks, Clark, Cottingham, Coughenour, Dowden, Giffin, Golc, Holmes, Irvin, Jones, Moriarty, O'Dell, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

4 NAYS: Borst, Curry, Gilmer, Rhodes

2 NOT VOTING: Howard, McGrath

2 NOT PRESENT: Hawkins, Mukes-Gaither

Proposal No. 109, 1991 was retitled FISCAL ORDINANCE NO. 30, 1991 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1991

A FISCAL ORDINANCE amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 95, 1990) appropriating an additional Four Hundred Twenty-seven Thousand Six Hundred Twenty Dollars (\$427,620) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (cc) of the City-County Annual Budget for 1991, be and is hereby amended, by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to pay for additional staff, supplies, pauper appeals and other items related to the Public Defender's office.

SECTION 2. The sum of Four Hundred Twenty-seven Thousand Six Hundred Twenty Dollars (\$427,620) 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>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$294,500
2. Supplies	6,567
3. Other Services and Charges	115,553
4. Capital Outlay	<u>11,000</u>
TOTAL INCREASE	\$427,620

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$427,620</u>
TOTAL REDUCTION	\$427,620

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

PROPOSAL NO. 113, 1991. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 113, 1991 on April 11, 1991. The proposal appropriates \$1,472,684 for the Department of Public Works, Administration Division, to provide assistance to areas that are unable to afford sanitary sewer costs. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:13 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 113, 1991 was adopted on the following roll call vote; viz:

- 23 YEAS: Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, O'Dell, Rhodes, Schneider, SerVaas, Shaw, Strader, West, Williams*
- 0 NAYS:*
- 4 NOT VOTING: Borst, Dowden, Ruhmkorff, Solenberg*
- 2 NOT PRESENT: Hawkins, Mukes-Gaither*

Proposal No. 113, 1991 was retitled FISCAL ORDINANCE NO. 31, 1991 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1991

A FISCAL ORDINANCE amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 95, 1990) appropriating an additional One Million Four Hundred Seventy-two Thousand Six Hundred Eighty-four Dollars (\$1,472,684) 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.

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 1991, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works Administration Division to provide assistance to areas that are unable to afford sanitary sewer costs.

SECTION 2. The sum of One Million Four Hundred Seventy-two Thousand Six Hundred Eighty-four Dollars (\$1,472,684) 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:

May 20, 1991

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION DIVISION

3. Other Services and Charges
TOTAL INCREASE

CITY CUMULATIVE CAPITAL
DEVELOPMENT FUND

\$ 1,472,684
\$ 1,472,684

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

Unappropriated and Unencumbered
City Cumulative Capital Development
Fund
TOTAL REDUCTION

CITY CUMULATIVE CAPITAL
DEVELOPMENT FUND

\$ 1,472,684
\$ 1,472,684

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

PROPOSAL NO. 227, 1991. This proposal appropriates \$24,600 for the County Recorder to hire an additional project coordinator for the Document Imaging Project and to increase an operator's salary. Councillor Cottingham asked for consent to postpone Proposal No. 227, 1991 until June 17, 1991. Consent was given.

PROPOSAL NOS. 228 and 229, 1991. Councillor Cottingham reported that the County and Townships Committee heard Proposal Nos. 228 and 229, 1991 on May 20, 1991. PROPOSAL NO. 228, 1991. This proposal authorizes the officers of the Consolidated City of Indianapolis and Marion County to allow Center Township to borrow money to fund poor relief. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. PROPOSAL NO. 229, 1991. This proposal authorizes the officers of the Consolidated City of Indianapolis and Marion County to disallow Center Township to borrow money to fund poor relief. Councillor Cottingham stated that Center Township needs approximately \$9 million for poor relief for the remainder of 1991. The State Tax Board will arrange a loan through the Auditor, but the Auditor will borrow the money in the name of Center Township. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:40 p.m. on Proposal Nos. 228 and 229, 1991. There was no one present from the public to testify.

Councillor Williams commended Julia Carson, the new Center Township Trustee, on the excellent job she has done in the township and believes that the Council should support the Trustee's request to borrow money to fund poor relief.

Councillor West stated that to deny the Center Township Trustee's request for a loan should not be interpreted as Council's rejection of the Trustee's efforts to cope with an insurmountable problem. The county can not authorize this loan to Center Township because it might jeopardize its bond ratings with the national bonding groups.

Councillor Howard stated that this is not just a Center Township problem. He knows that other townships in Marion County send their poor to Center Township to receive poor relief.

The President said that this is a serious problem. The majority of the poor of central Indiana live in Center Township. There needs to be a bipartisan effort by local government for a solution. It is the President's opinion that if this welfare load increases and there is continued borrowing for operating expenses, the tax rates will increase, which will make

Center Township an extremely difficult area to finance and to attract residents and businesses.

Councillor Boyd asked Councillor West what the payback mechanism is for Center Township; and Councillor West replied that the County will issue poor relief bonds to the Township, which will be paid off over three years through a debt service levy in Center Township.

Councillor Rhodes said that this year it will be a little different since a short-term note will be issued instead of bonds, and asked John von Arx, County Auditor, to comment. Mr. von Arx stated if the Council denies the loan, the State Tax Board will order the County Auditor to borrow on behalf of Center Township from a financial institution. He further commented that he has attended many meetings between Ms. Carson and the Poor Relief Task Force to reach the best solution for this problem, and this is the arrangement that had been worked out. It is a short-term effort and not a long-term solution.

Councillor Rhodes added that the large counties have this poor relief problem and the smaller counties do not, so when there has been an effort to get this resolved in the State Legislature, it becomes a large county versus small county issue. A bad economy may help address this problem on a state-wide basis because the smaller counties are now facing this same problem.

Councillor Irvin stated that last year the property tax in Center Township increased by \$.42 per \$100 of assessed value, and with another debt service levy this year, the Township's property tax will increase again. He said that he will be voting against Proposal No. 229, 1991 because, in his opinion, the working poor are being overtaxed to pay for poor relief.

Councillor Gilmer also said that the state legislature has to respond to this problem. He moved the question. This motion passed by unanimous voice vote.

The President said that the motion on the floor is to strike Proposal No. 228, 1991, and asked for a voice vote. Proposal No. 228, 1991 was stricken by a majority voice vote, and the President noted that there were five "nay" votes.

The President asked the Council to vote on Proposal No. 229, 1991. Proposal No. 229, 1991 was adopted by the following roll call vote; viz:

18 YEAS: Borst, Brooks, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Holmes, McGrath, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg, Strader, West
8 NAYS: Boyd, Golc, Howard, Irvin, Jones, Moriarty, Shaw, Williams
1 NOT VOTING: Clark
2 NOT PRESENT: Hawkins, Mukes-Gaither

Proposal No. 229, 1991 was retitled SPECIAL ORDINANCE NO. 4, 1991 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1991

A SPECIAL ORDINANCE determining not to allow Center Township to borrow money pursuant to IC 12-2-4.5.

May 20, 1991

WHEREAS, the Auditor of Marion County, Indiana (the "Auditor") has determined that the poor relief account of Center Township in Marion County ("Center Township") will be exhausted before the end of this present fiscal year, and the Auditor has notified the Township Board of Center Township (the "Township Board") of such determination; and

WHEREAS, after receiving such notice from the Auditor, the Township Board appealed to the Board of Commissioners of the County of Marion (the "Board") and the Mayor of the City of Indianapolis, Indiana (the "Mayor") for the right to borrow money on a short term basis to fund poor relief services in Center Township; and

WHEREAS, the Township Board has shown that (i) the amount of money contained in the poor relief account of Center Township will not be sufficient to fund services required to be provided within Center Township under IC 12-2; (ii) the estimated amount of money that will be needed to fund such deficit is an amount of Nine Million Dollars (\$9,000,000); and (iii) Center Township will repay such loan by December 31, 1993; and

WHEREAS, the Board, on the 17th day of April, 1991, heard the appeal of the Center Township Board and determined not to loan the requested amount to Center Township; and

WHEREAS, the Mayor, on the 17th day of April, 1991, heard the appeal of the Center Township Board and determined not to loan the requested amount to Center Township; and

WHEREAS, the Board and the Mayor have submitted the request of the Center Township Board to the Auditor who has requested a special meeting of the City-County Council of the City of Indianapolis and Marion County (the "City-County Council"), requesting the City-County Council to allow the borrowing by Center Township; and

WHEREAS, the City-County Council now finds that the appeal of the Center Township Board should not be granted and that the City-County Council should not allow the borrowing by Center Township; now therefore:

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

SECTION 1. The City-County Council hereby determines that the appeal of the Township Board is not granted and that the Auditor is not authorized to borrow money for and on behalf of Center Township to fund the obligations of Center Township incurred in this fiscal year under IC 12-2.

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

The President said he will ask Ms. Carson to be a co-leader in a bipartisan effort to find a state-wide solution to this problem.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 183, 1991. Councillor Rhodes reported that the Administration Committee heard Proposal No. 183, 1991 on May 2, 1991. The proposal authorizes the lease of office space for the Decatur Township Assessor located at approximately 5300 South High School Road. By a 3-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor Moriarty, for adoption. Proposal No. 183, 1991 was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, O'Dell, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Williams

0 NAYS:

4 NOT VOTING: Brooks, Rhodes, Strader, West

2 NOT PRESENT: Hawkins, Mukes-Gaither

Councillors Brooks and Rhodes both abstained due to a possible conflict of interest.

Proposal No. 183, 1991 was retitled SPECIAL RESOLUTION NO. 57, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1991

A SPECIAL RESOLUTION authorizing the lease of office space for the Decatur Township Assessor located at approximately 5300 South High School Road.

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

SECTION 1. The Decatur Township Assessor desires to lease office space at approximately 5300 South High School Road.

SECTION 2. The property is owned by D & S Investments (a partnership owned by Daniel C. Cartwright and Sidney L. Blazek) located at 5250 Commerce Circle, Indianapolis, Indiana 46237.

SECTION 3. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the need for office space and hereby determines that the lease of office space for the use of the Decatur Township Assessor is necessary.

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

PROPOSAL NO. 184, 1991. Councillor Rhodes reported that the Administration Committee heard Proposal No. 184, 1991 on May 2, 1991. The proposal authorizes the lease of office space for the Wayne Township Assessor. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Coughenour, to strike. Proposal No. 184, 1991 was stricken by unanimous voice vote.

PROPOSAL NO. 226, 1991. Councillor Rhodes reported that the Administration Committee heard Proposal No. 226, 1991 on May 2, 1991. The proposal approves a public purpose grant to Indiana University-Purdue University at Indianapolis in the amount of \$75,000 for the purpose of financing educational access cable television programming over the cable television systems within Marion County. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor McGrath, for adoption. Proposal No. 226, 1991 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Schneider*

2 NOT PRESENT: *Hawkins, Mukes-Gaither*

Proposal No. 226, 1991 was retitled SPECIAL RESOLUTION NO. 58, 1991 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1991

A SPECIAL RESOLUTION approving a public purpose grant to Indiana University-Purdue University at Indianapolis in the amount of \$75,000 for the purpose of financing educational access cable television programming.

WHEREAS, the Cable Franchise Board of the City of Indianapolis, Indiana ("Board") did, on April 11, 1991, adopt its Resolution No. 2, 1991, authorizing the making of a public purpose grant in the amount of

\$75,000 to Indiana University-Purdue University at Indianapolis for the purpose of financing educational access programming over the educational access channels of the two franchised cable television systems within Marion County (the "Grant"); and

WHEREAS, Section 3.01(c) of City-County Fiscal Ordinance No. 95, 1990, 1991 Annual Budget and Tax Levies for The Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriate therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana approves the amount and identity of the recipient of each grant; and

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

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

SECTION 1. The Grant in the amount of \$75,000 to Indiana University-Purdue University at Indianapolis previously authorized by the Board is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate, which attempts to promote or influence legislation.

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

PROPOSAL NO. 232, 1991. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 232, 1991 on April 24, 1991. The proposal transfers and appropriates \$845 to the Domestic Relations Counseling Bureau to purchase office furniture. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 232, 1991 was adopted on the following roll call vote; viz:

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

Proposal No. 232, 1991 was retitled FISCAL ORDINANCE NO. 32, 1991 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1991

A FISCAL ORDINANCE amending the City-County Annual Budget for 1991 (City- County Fiscal Ordinance No. 95, 1990) transferring and appropriating an additional Eight Hundred Forty-five Dollars (\$845) in the County General Fund for purposes of the Domestic Relations Counseling Bureau and reducing certain other appropriations for that Bureau.

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 (uu) of the City-County Annual Budget for 1991, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Domestic Relations Counseling Bureau to purchase office furniture.

SECTION 2. The sum of Eight Hundred Forty-five Dollars (\$845) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DOMESTIC RELATIONS
COUNSELING BUREAU
 2. Supplies
 TOTAL INCREASE

COUNTY GENERAL FUND
 \$845
 \$845

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

DOMESTIC RELATIONS
COUNSELING BUREAU
4. Capital Outlay
TOTAL REDUCTION

COUNTY GENERAL FUND
\$845
\$845

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

PROPOSAL NO. 233, 1991. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 233, 1991 on April 25, 1991. The proposal amends the Code by repealing the existing Chapter 4, Air Pollution Control, and adopting a new Chapter 4.

Councillor Coughenour introduced Dr. Robert Daly, Air Pollution Control Board, and Dr. William Baranick, Indiana Environmental Institute, and thanked both of them for all the work they have done on this legislation.

By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Brooks, for adoption. Proposal No. 233, 1991 was adopted on the following roll call vote; viz:

22 YEAS: *Boyd, Brooks, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, Moriarty, O'Dell, Rhodes, Ruhmkorff, SerVaas, Solenberg, Strader, West, Williams*

0 NAYS:

5 NOT VOTING: *Borst, Clark, McGrath, Schneider, Shaw*

2 NOT PRESENT: *Hawkins, Mukes-Gaither*

Proposal No. 233, 1991 was retitled GENERAL ORDINANCE NO. 50, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1991

A GENERAL ORDINANCE regarding air pollution control amending the "Code of Indianapolis and Marion County, Indiana," by repealing existing Chapter 4, "Air Pollution Control," Articles I through IV, Sections 4-1 through 4-160 entirely and adopting new Chapter 4, "Air Pollution Control," Articles I through VIII, Sections 4-1 to 4-82.

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

SECTION 1. The Code of Indianapolis and Marion County is hereby amended by adopting new Chapter 4, Articles I through VIII, Sections 4-1 through 4-82 to read as follows:

AIR POLLUTION CONTROL ORDINANCE

CONSOLIDATED CITY OF INDIANAPOLIS
AND
MARION COUNTY, INDIANA

CHAPTER 4

ARTICLE I: GENERAL

Secs. 4-1: through 4-9: Reserved.

Section 4-10: Purpose

In order to protect public health and welfare, property and natural resources and public enjoyment of the air, it is the purpose of this Chapter and its regulations to maintain clean air in Marion County, with full consideration of maximum employment and industrial development. The Air Pollution Control Board and the Air Pollution Control Division shall protect the air resource through the prevention, abatement and control of air pollution by all practical and economically feasible methods.

Section 4-11: Definitions

As used in this Chapter and its regulations, the following terms shall have these meanings ascribed to them:

Administrator means the Administrator of the Air Pollution Control Division of the Department of Public Works, Consolidated City of Indianapolis and Marion County.

Air contaminant means any solid, liquid or gaseous matter, or any combination thereof, that may be emitted into the ambient air in a manner which may cause or contribute to air pollution.

Air contaminant emitter means any vehicle, process, facility or any other device that emits or is capable of emitting an air contaminant, whether privately or publicly owned or operated.

Air pollution means the presence of solid, liquid or gaseous matter, or any combination thereof, in the ambient air in sufficient quantities and of such characteristics and duration which:

- (a) Injures or threatens to injure human, plant or animal life; or
- (b) Damages or threatens to damage property; or
- (c) Unreasonably interferes with the comfortable enjoyment of life and property.

Allowable emissions means the emissions rate calculated using the following factors:

- (a) The maximum rated capacity;
- (b) Year-round operation (8760 hours per year); and
- (c) The most stringent emission limit applicable under federal, state or local air pollution control laws.

Allowable emissions may be limited further if the facility or source is subject to enforceable permit conditions that limit the operating rate, hours of operation or emission rate.

Ambient air means any outside air.

Asbestos Abatement Permit means the written authorization that allows a person to remove asbestos materials and conduct asbestos abatement projects.

Board means the Indianapolis Air Pollution Control Board.

Construction Permit means the written authorization that allows a person to construct, reconstruct or modify an air contaminant emitter.

Division means the Air Pollution Control Division of the Department of Public Works, Consolidated City of Indianapolis and Marion County.

Effective date means the date on which an action takes effect. For permits issued pursuant to Article V of this Chapter, the effective date is fifteen days after the Administrator signs and issues the permit. For all other actions, the effective date is when the person subject to the action receives written notice of the action.

Emission Credit Permit means the written authorization that allows a person to claim credit for emissions not released to the ambient air.

Facility means any one structure, piece of equipment, installation or operation that emits or is capable of emitting an air contaminant. Single pieces of equipment or installations with multiple emission points shall be considered a facility for purposes of this Chapter and its regulations.

Major source means a source with an emission rate of any one air contaminant, calculated using maximum operating capacity, year-round operation (8760 hours per year, unless restricted by enforceable permit conditions) and the application of air pollution control equipment of at least 100 tons per year.

Open burning or open fire means any burning of combustible materials where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.

Operating Permit means the written authorization that allows a person to operate an air contaminant emitter.

Person means any individual, proprietorship, partnership, firm, company, corporation, association, joint venture, trustee, estate, political or governmental unit or any other legal entity.

Potential emissions means the emission rate calculated using the following factors:

- (a) The maximum rated capacity;
- (b) The actual hours of operation; and
- (c) Operation without air pollution control equipment, unless such control equipment is (aside from air pollution control requirements) necessary for the facility to produce its normal product or is integral to normal operation.

Process means any action, operation or treatment that emits or is capable of emitting an air contaminant.

Regulation means the whole or any part of a Board statement of general applicability that:

- (a) has or is designed to have the effect of law; and
- (b) implements, interprets or prescribes:
 - (1) law or policy; or
 - (2) the organization, procedure or practice requirements of the Board or Division.

Source means one or an aggregation of processes or facilities that are located on one or more contiguous or adjacent properties and are owned or operated by the same person, or by persons under common control.

Wood products means dry materials consisting of vegetation or wood which does not contain any other substance.

Section 4-12: Jurisdiction

The provisions of this Chapter and its regulations shall apply within Marion County.

Section 4-13: Public Records; confidentiality of information

All files, records and data of the Board and the Division shall be open to reasonable public inspection in accordance with applicable Indiana Law.

Section 4-14: Severability

If for any reason, any article, division, section, subsection, paragraph, sentence, clause, phrase or word of this Chapter or any regulation adopted by the Board should be declared unconstitutional or invalid, the remaining portions of this Chapter or the regulations shall remain in full force and effect.

Secs. 4-15: through 4-19: Reserved.

ARTICLE II: AIR POLLUTION CONTROL BOARD

Section 4-20: Establishment of Air Pollution Control Board

This Section establishes an Air Pollution Control Board, which consists of nine members. The Mayor or the City-County Council shall appoint the members of the Board as provided in Section 4-21. Each member shall serve at the pleasure of his/her appointing authority.

Section 4-21: Composition of Board

The membership of the Air Pollution Control Board shall consist of the following persons appointed as provided:

- (a) A professional engineer, registered in the State of Indiana, knowledgeable and experienced in air pollution control, appointed by the Mayor.
- (b) A physician, licensed in the State of Indiana, knowledgeable and experienced in toxicology or respiratory disease, appointed by the City-County Council.
- (c) An attorney, admitted to the Indiana bar, appointed by the Mayor.
- (d) A member knowledgeable and experienced in solid waste disposal, appointed by the City-County Council.
- (e) A member knowledgeable and experienced in fuel technology and combustion, appointed by the Mayor.
- (f) A member knowledgeable and experienced in process manufacturing, appointed by the City-County Council.
- (g) A member representing industry, appointed by the Mayor.
- (h) A member representing labor, appointed by the City-County Council.
- (i) A member representing the public at large, appointed by the Mayor.

Section 4-22: Terms of Members; vacancies

The terms of Board members shall be four years. Two terms shall expire each year. Each appointing authority shall appoint one member each year, except that once every four years three terms shall expire and in that year the Mayor shall appoint two members and the City-County Council shall appoint one member. Whenever a vacancy occurs in the membership of the Board, the appointing authority as provided in Section 4-21 shall appoint a member for the remaining portion of the unexpired term. The terms of current Board members shall not be altered by adoption of this ordinance.

Section 4-23: Compensation of members

The members of the Board shall serve without compensation.

Section 4-24: Officers

The Chairperson and the Vice-Chairperson of the Board shall be members of the Board elected by members of the Board and shall serve for one year. The Chairperson and Vice-Chairperson shall have full voting rights.

Section 4-25: Meetings; minutes and records

- (a) The Board shall meet at least once each month and more often if deemed necessary by the Chairperson or two members of the Board. All members shall be notified of all meetings.
- (b) The Board shall keep minutes of meetings required in Paragraph (a) and records of its other official proceedings, including committee meetings and hearings. The minutes of Board meetings shall record the attendance of each member, and the vote or abstention of each member upon each motion.
- (c) The Division shall ensure that public notice for all Board meetings and other official proceedings is in accordance with applicable state law.

Section 4-26: Voting

A quorum of the Board shall consist of five members. In order to adopt a proposed regulation, amend an existing regulation or repeal an existing regulation, at least five members must vote in favor of adoption, amendment or repeal. A majority vote of the members present is necessary for all other decisions of the Board.

Section 4-27: Duties of the Board

The Board shall:

- (a) Set air quality objectives and policies;
- (b) Monitor the performance of the Division;
- (c) Review the Division's budget proposal each year;
- (d) Establish a permit system pursuant to Article V;
- (e) Study or direct the Division to study various air pollution problems and to publish annual reports on the quality of air in Indianapolis and other air pollution issues;
- (f) Approve or disapprove the appointment of a new Administrator or Acting Administrator in the event of a vacancy in the office of the Administrator.
- (g) Review proposed written agreements between the State of Indiana and the Consolidated City of Indianapolis and Marion County.

Section 4-28: Powers of the Board

The Board may:

- (a) Adopt, amend and repeal regulations pursuant to Article IV and establish, by regulation, prima facie violations of these regulations;
- (b) Enforce this Chapter and its regulations as provided in Article VI;
- (c) Initiate investigations, consider complaints and direct the Division to enforce this Chapter and its regulations;
- (d) Hold hearings, decide appeals, grant and deny variances and issue direct orders to comply with this Chapter and its regulations;
- (e) Appoint a Hearing Officer or Officers for public hearings required in this Chapter and its regulations.
- (f) Approve or disapprove Division policies submitted to the Board by the Administrator pursuant to 4-32 (e).

Sec. 4-29: Reserved

ARTICLE III: AIR POLLUTION CONTROL DIVISION

Section 4-30: Establishment of Air Pollution Control Division

This Section establishes an Air Pollution Control Division of the Department of Public Works as the principal administrative and enforcement office for this Chapter and its regulations.

Section 4-31: Administrator Established; qualifications

- (a) This Section establishes the Air Pollution Control Division Administrator as the full-time executive director of the Division. The Administrator shall be appointed by the Director of the Department of Public Works, upon concurrence of the Board, and shall serve at the pleasure of the Director of the Department of Public Works.
- (b) The Administrator shall have technical expertise in air pollution control and administrative experience.

Section 4-32: General Duties of the Administrator

The Administrator shall:

- (a) Direct and administer the activities of the Division;
- (b) Set policies consistent with the purposes of this Chapter and its regulations;

- (c) Develop air pollution control strategies that achieve the purposes of this Chapter and its regulations and which are consistent with local, state and federal laws and regulations;
- (d) Propose and recommend regulations and amendments to regulations for adoption by the Board;
- (e) Inform the Board of significant administrative and operational Division policies which affect the public such as recordkeeping, enforcement, inspection and permitting;
- (f) Provide technical advice and guidance to the Board;
- (g) Implement the permit system established in Article V;
- (h) Receive and investigate complaints from the public;
- (i) Initiate enforcement actions necessary to ensure compliance with this Chapter and its regulations, pursuant to Article VI;
- (j) Inspect air contaminant emitters for compliance with this Chapter and its regulations;
- (k) Collect air quality data;
- (l) Report air quality data, permit issuances, enforcement actions and other activities of the Division to the Board;
- (m) Prepare the annual Division budget proposal;
- (n) Prepare and execute public relations plans and public education programs;
- (o) Interact with federal, state and local agencies concerned with air pollution;
- (p) Perform any duties lawfully delegated to the Division by the Board or any agency of the State of Indiana or Federal Government;
- (q) Manage the Division staff according to the official policies and procedures of the Consolidated City of Indianapolis and Marion County;
- (r) Provide and maintain written qualification requirements for each of the Division staff to assure technical capability and performance of the Division's duties under this Chapter and its regulations;
- (s) Serve as Secretary to the Air Pollution Control Board, without vote or membership;

Section 4-33: General Powers of the Administrator

The Administrator may:

- (a) At any reasonable time, obtain data or other information about any air contaminant emitter, inspect any air contaminant emitter, enter the premises of any air contaminant emitter or examine the records and documents pertaining to an air contaminant emitter for purposes of assessing air contaminant emissions, determining compliance with this Chapter and its regulations or enforcing this Chapter and its regulations. The Administrator may apply to any judge of the Municipal, Circuit or Superior Courts of Marion County for an administrative search warrant. The application for the warrant shall state the location of the premises, the purpose for requesting inspection, entry or examination and the facts which support the request for inspection, entry or examination;
- (b) Require, when appropriate, the owner or operator of an air contaminant emitter to keep and submit to the Division plans, drawings, specifications, reports and other records of information relating to air contaminant emissions or compliance with this Chapter and its regulations;
- (c) Use all necessary equipment to evaluate air contaminant emitters for compliance with this Chapter and its regulations or to collect information about the emissions of an air contaminant emitter;
- (d) Require, when appropriate, the owner or operator of an air contaminant emitter to perform reasonable tests, with the costs for the tests to be paid by the owner or operator;
- (e) Enter into or recommend that the Director of the Department of Public Works enter into agreements necessary to administer and enforce this Chapter and its regulations;

(f) Delegate responsibility and authority to an Acting Administrator as necessary, for a period not to exceed thirty days.

Secs. 4-34: through 4-39: Reserved.

ARTICLE IV: PROMULGATION OF REGULATIONS

Section 4-40: General Authority

(a) The Board shall adopt, amend and repeal regulations necessary to achieve the purposes of this Chapter and its regulations. The Board may adopt regulations which affect emissions from motor vehicles, facilities, sources, processes or any other air contaminant emitter. The regulations may establish emission limits or require air pollution control equipment, work practices, recordkeeping or any other standard necessary to achieve the purposes of this Chapter and its regulations.

(b) It is the intent of the City-County Council that the Board adopt as regulations pursuant to Section 4-41 the general standards, principles and procedures embodying the purposes of this Chapter and its regulations. The Board or Division may adopt policies, interpret law or take enforceable actions. The Board shall, as soon as feasible and to the extent practicable, adopt regulations that supersede general standards, principles and procedures found in policies, interpretations and enforceable agency actions.

Section 4-41: Procedures

Before a regulation, an amendment to a regulation or a repeal of a regulation becomes effective, the Board and Division shall comply with the following procedures:

(a) The Board shall preliminarily adopt the regulation, appoint a Hearing Officer or Officers and schedule the matter for public hearing.

(b) At least fifteen days before the public hearing, the Division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state the time and place of the hearing, the subject matter of the proposed regulation and that copies of the proposed regulation are available for public examination at the offices of the Division and the Office of the Clerk of the City-County Council.

(c) On or before the publication date of the notice, the Division shall place five copies of the proposed regulation on file at the Office of the Clerk of the City-County Council and shall keep five copies on file at the Division's office. The copies shall be available for public examination until the proposed regulation becomes effective. Any interested person may examine the proposed regulation during regular business hours. The Clerk of the City-County Council shall provide each member of the City-County Council a copy of the proposed regulation.

(d) Written comments may be submitted to the Board prior to the public hearing. Any interested party may present comments at the public hearing. Unless the Board or its Hearing Officer or Officers determines for good cause to close the comment period at the conclusion of the public hearing, written comments may be submitted up to and including seven days after the conclusion of the public hearing. At the hearing the Board or its Hearing Officer or Officers may further extend the period for submitting written comments. After the conclusion of the public comment period and before the Board adopts the proposed regulation, the Administrator shall submit to the Board written responses to the public comments. The Board or its Hearing Officer or Officers may continue the public hearing without publishing further notice.

(e) Except as provided in Paragraph (f) of this Section, the Board shall not vote on a proposed regulation until at least ten days after the conclusion of the public comment period.

(f) Upon concurrence of at least seven members, the Board may waive the ten day requirement in Paragraph (e) of this Section.

(g) The Board shall vote on a regulation in accordance with Section 4-26 of this Chapter.

(h) No later than ten days after the Board has adopted a regulation, the Division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state that the Board adopted a regulation, describe the subject matter of the regulation, state that copies of the regulation are available for public examination at the offices of the Division and the Clerk of the City-County Council and that the regulation becomes effective on the sixty-first day after adoption unless rejected by the City-County Council.

(i) The Division shall file five copies of the adopted regulation with the Clerk of the City-County Council and keep five copies on file at the Division offices. The Clerk of the City-County Council shall provide a copy of the adopted regulation to each member of the City-County Council

(j) The City-County Council may reject, by ordinance or resolution, a regulation adopted by the Board within sixty days of adoption by the Board. If a regulation is rejected, the regulations which were previously in effect before the rejected regulation was adopted shall remain in effect. If a regulation is not rejected, it shall be effective on the sixty-first day after adoption.

(k) If the Board amends or repeals an existing regulation, the procedures in paragraphs (a) through (j) of this Section shall apply.

(l) If the Board makes substantive revisions to a proposed regulation after preliminary adoption and before final adoption, the Board shall preliminarily adopt the revised proposal and follow the procedures in paragraphs (a) through (j).

Section 4-42: Incorporation of Regulations

Regulations adopted and effective pursuant to Section 4-41 are expressly incorporated in this Chapter, and a violation of any such regulation is a violation of this Chapter and shall be enforced pursuant to Article VI of this Chapter. Two copies of each such regulation shall be on file at the offices of the Division and the Clerk of the City-County Council.

Section 4-43: Introduction of Proposed Regulations

Any person may propose to the Board the adoption, amendment or repeal of a regulation.

Secs. 4-44: through 4-49: Reserved.

ARTICLE V: PERMITS AND FEES

Division 1: Permits

Section 4-50: Permit System

The Board shall adopt regulations that create a permit system, and the Division shall implement the permit system. At a minimum, the permit regulations shall:

- (a) Require permits in order to construct new facilities or sources;
- (b) Require permits in order to modify or reconstruct existing facilities or sources;
- (c) Require permits in order to operate facilities or sources;
- (d) Require permits for processes and other air contaminant emitters, including, but not limited to, air curtain incinerators, asbestos abatement projects and sandblasting;
- (e) Require permits for claiming emission credits;
- (f) Establish minimum levels of emissions from a facility, source, process or other air contaminant emitter for which a permit is required;
- (g) Establish the information necessary for complete permit applications;
- (h) Establish procedures for public comment periods and Division review of the permit application, which may include providing an opportunity to discuss a draft permit before it is issued;
- (i) Establish renewal procedures, transfer procedures and expiration dates for permits;
- (j) Establish causes for revoking permits;
- (k) Require, when appropriate, emission sources to maintain records of production, maintenance or other matters relating to the quantity of emissions, the effectiveness of air pollution control equipment or compliance with this Chapter and its regulations;
- (l) Require that all permits be consistent with all local, state and federal air pollution control laws and regulations;

- (m) Require that all permits not interfere with attainment of local, state or federal air quality standards;

Section 4-51: Permit Conditions

(a) The Administrator may establish or modify permit conditions on any permit issued pursuant to this Chapter and its regulations. The conditions may be imposed to ensure compliance with this Chapter or with any regulation adopted by the Board. Conditions may take the form of emission limits, reporting and recordkeeping requirements, operation and maintenance programs or any other requirement necessary to ensure compliance with air pollution control laws and regulations and to protect the public health or welfare.

(b) The Administrator may impose permit conditions more stringent than regulations adopted by the Board or when no such regulation applies only if:

- (1) The conditions are necessary to ensure compliance with local, state or federal air pollution control laws and regulations; or
- (2) The permit holder has violated local, state or federal air pollution control laws or regulations and the conditions are consistent with the terms of a compliance program agreement, agreed order, consent decree, court order or some other enforceable mechanism used to resolve the violations; or
- (3) The conditions are reasonably necessary to protect the public health or welfare.

(c) The Administrator may modify permit conditions at any time after the permit has been issued only if:

- (1) The Administrator has consulted with the permit holder before modifying any permit conditions; and
- (2) The Administrator notifies the permit holder of the modification and the reasons for the modification in writing.

(d) A violation of a permit condition is a violation of this Chapter and its regulations.

(e) Permit conditions imposed by the Administrator may be appealed to the Board pursuant to Section 4-80 of this Chapter.

Division 2: Fees

Section 4-52: Permit Fees

(a) Application Fees: The Division shall collect a nonrefundable fee of \$100.00 whenever a person submits an application to:

- (1) Obtain a Construction Permit;
- (2) Obtain an Operating Permit;
- (3) Obtain an Asbestos Abatement Permit;
- (4) Obtain an Emission Credit Permit;
- (5) Change the name of the permittee on a permit issued by the Administrator;
- (6) Transfer a permit to a new owner of the air contaminant emitter subject to a permit.
- (7) The application fee for (1) through (6) above is waived if:
 - (A) A permittee has already obtained a construction permit, and is submitting an application for an initial operating permit.
 - (B) A permittee is renewing an Operating Permit.
 - (C) A permittee is renewing an Asbestos Abatement Permit.
 - (D) A permittee is renewing an Emission Credit Permit.

(b) **Construction Permits:** The Division shall collect a fee for reviewing plans and issuing a Construction Permit.

(1) **Base Fees**

(A) The fee for each air contaminant emitter with potential emissions of any one pollutant less than twenty-five tons per year shall be \$200.00.

(B) The fee for each air contaminant emitter with potential emissions of any one pollutant of twenty-five tons per year or greater shall be \$3,000.00.

(2) In addition to fees collected under paragraph (1) above, the Division shall collect all applicable fees specified in (A) through (D) below.

(A) The fee for each air contaminant emitter subject to federal, state, or local New Source Performance Standards shall be \$200.00 per standard.

(B) The fee for each air contaminant emitter subject to Federal, State, and Local National Emission Standards for Hazardous Air Pollutants shall be \$200.00 per pollutant.

(C) The fee for each air contaminant emitter which requires a construction permit public hearing shall be \$400.00 per pollutant.

(D) The fee for each air contaminant emitter subject to Best Available Control Technology (BACT) or Lowest Achievable Emission Rate (LAER) shall be \$2,000.00 per pollutant for each applicable pollutant.

(c) **Operating Permits:** The Division shall collect a fee for the initial issuance of an Operating Permit and an annual administrative fee for each succeeding year for the maintenance and renewal of an Operating Permit.

(1) The fee for each air contaminant emitter with allowable emissions of any one pollutant less than twenty-five tons per year shall be \$50.00.

(2) The fee for each air contaminant emitter with allowable emissions of any one pollutant of twenty-five tons per year or greater, but less than one hundred tons per year, shall be \$200.00.

(3) The fee for each air contaminant emitter with allowable emissions of any one pollutant of one hundred tons per year or greater shall be \$350.00.

(4) The fee for a portable air curtain incinerator or portable sandblasting operation shall be \$250.00.

(d) **Emission Credit Permits:** The Division shall collect a fee of \$200.00 for the initial issuance of an Emission Credit Permit and an annual administrative fee for each succeeding year of \$200.00 for the maintenance of an Emission Credit Permit.

(e) **Asbestos Abatement Permits:** The Division shall collect a fee of \$450.00 for the initial issuance of an Asbestos Abatement Permit and an annual administrative fee for each succeeding year of \$450.00 for the maintenance and renewal of an Asbestos Abatement Permit.

Section 4-53: Payment; waivers and unpaid fees

(a) **Payment due:** Application fees shall be paid at the time the application is submitted. Fees for Construction Permits or the initial issuance of an Operating Permit, Emission Credit Permit or Asbestos Abatement Permit shall be paid before the Administrator issues the permit. Annual administrative fees shall be paid by January 31 of each year for all air contaminant emitters which have operating permits as of January 1 of each year.

(b) All permit fees established pursuant to this Chapter and its regulations shall be payable to the Indianapolis City Controller.

(c) If a permit applicant or holder of a permit appears before the Board and demonstrates that payment of applicable permit fees will cause undue economic hardship, the Board may waive the fees for a period deemed appropriate by the Board.

(d) All permit fees established pursuant to this Chapter and its regulations shall constitute a debt due to the Consolidated City of Indianapolis and Marion County. At the request of the Administrator, the Corporation Counsel may institute a civil suit in the name of the Consolidated City of Indianapolis and Marion County to recover any unpaid fee. In addition, the Administrator, pursuant to Section 4-61 of this Chapter, may revoke a permit for failure to pay permit fees as required in Paragraph (a).

Secs. 4-54: through 4-59: Reserved.

ARTICLE VI: ENFORCEMENT

Section 4-60: Notice of Violation

(a) Whenever the Administrator has cause to believe that a person has violated this Chapter, a regulation adopted by the Board, or a permit issued by the Division, the Administrator shall notify the person. A written notice of violation shall be delivered personally or by registered, certified or first class mail to the person.

(b) The notice of violation should contain the following information:

- (1) When the violation occurred;
- (2) The location where the violation occurred;
- (3) A reference to and description of the provision of this Chapter, regulation adopted by the Board or permit issued by the Division that was violated;
- (4) A statement of the facts which constitute a violation;
- (5) A brief description of the enforcement procedure initiated by the Administrator;
- (6) A statement describing the procedures available to contest the Administrator's actions.

(c) For purposes of assessing a penalty pursuant to Paragraph (a) of Section 4-66 of this Chapter, a notice of violation is not a finding that a violation has occurred.

Section 4-61: Orders

(a) When the Administrator issues a notice of violation pursuant to Section 4-60 of this Chapter, the Administrator may include an order as prescribed in Paragraphs (b), (c) or (d) of this Section.

(b) The Administrator may order all actions necessary to remedy a violation. The order shall allow a reasonable time to implement the actions. Such orders may:

- (1) Require specific action necessary to abate continuing or future violations;
- (2) Prohibit an action that is causing a violation;
- (3) Require submittal of information including, but not limited to, operating data and stack test results;
- (4) Require submittal of a program to attain and maintain compliance. Such a program must be approved in writing by the Administrator or incorporated into an agreement pursuant to Section 4-65 of this Chapter.

(c) The Administrator may revoke a permit or permits specified in the notice of violation. The order shall state the effective date of the revocation and the actions which are necessary for the Administrator to reissue the permit. The order may prohibit further installation, construction, modification or operation of the air contaminant emitter in violation.

(d) The Administrator may issue an order in accordance with powers and procedures established in a regulation adopted by the Board.

(e) The Administrator may modify the terms of an order or extend the time allowed to comply with the order.

(f) A violation of an order is a violation of this Chapter and its regulations.

Section 4-62: Civil Enforcement

(a) The Administrator may initiate a civil action to assess and recover civil penalties and/or for a temporary or permanent injunction whenever:

- (1) A person violates the terms of an order issued pursuant to Sections 4-61, 4-65, or 4-67 of this Chapter; or
- (2) The Administrator has issued a notice of violation to a person and:
 - (A) The person is an owner or operator of a major source in violation of a provision of a State Implementation Plan approved by the United States Environmental Protection Agency; or
 - (B) The person is an owner or operator of a facility or source in violation of a permit issued in accordance with Parts C or D of Subchapter I of the Clean Air Act, 42 U.S.C.A. Section 7401, et. seq.;
 - (C) The person is an owner or operator of a stationary source in violation of a provision of New Source Performance Standards or National Emission Standards for Hazardous Air Pollutants, as adopted by the Board; or
 - (D) The person has violated a provision of regulations adopted by the Board governing asbestos abatement or motor vehicle tampering; or
 - (E) The person has engaged in an activity without a necessary permit issued by the Division; or
 - (F) The Administrator determines that the violation substantially impairs public health or welfare.

(b) The Administrator shall initiate civil enforcement by submitting a written request to the Corporation Counsel to file a complaint of ordinance violation and/or to seek an injunction. The Administrator shall send notice of the written request to the person subject to the action.

Section 4-63: (Reserved for administrative enforcement procedures)

Section 4-64: (Reserved for ticket enforcement procedures)

Section 4-65: Compliance Agreements

(a) Whenever the Administrator issues an order pursuant to Section 4-61 of this Chapter, the Administrator and the person subject to the order may enter into an agreement which establishes a program and schedule to attain and maintain compliance. Upon written approval of the agreement by both parties, the agreement shall be issued as an order pursuant to Section 4-61 of this Chapter, and the original order shall be vacated. If the parties cannot agree to the terms of an agreement, the terms of the original order shall remain in effect, unless modified by the Administrator.

(b) Whenever civil enforcement is taken pursuant to Section 4-62 of this Chapter, the Administrator and the person subject to the action may negotiate an agreement which establishes a program and schedule to attain and maintain compliance, penalties and other provisions necessary to ensure compliance. The agreement shall take effect upon approval by the court.

Section 4-66: Penalties

(a) Any person found in violation of this Chapter, any regulation adopted by the Board or any permit issued by the Division may be fined an amount not to exceed \$2,500.00 for each violation. Each day in violation shall be considered a separate violation.

(b) Notwithstanding Section 1-8 of the Code of Indianapolis and Marion County, Indiana or Paragraph (a) of this Section, the Court may accept an agreement established under Paragraph (b) of Section 4-65 of this Chapter without a finding that a violation occurred or an admission that a violation occurred if the person subject to the penalty agrees to pay the penalty pursuant to such an agreement.

(c) A court order, whether issued unilaterally by the court or pursuant to an agreement under Paragraph (b) of Section 4-65 of this Chapter, may require the payment of stipulated penalties in the event the terms of

such order are violated. The stipulated penalties shall not exceed \$2,500.00 for each violation. Each day in violation shall be considered a separate violation.

Section 4-67: Emergency Enforcement Procedures

(a) Notwithstanding any other provision of this Chapter or its regulations, if the Administrator determines that emissions from an air contaminant emitter are presenting imminent and substantial danger to the public health and safety, the Administrator may order an immediate reduction or cessation of the emissions or other actions necessary to abate the hazard. Such order shall be effective for not more than forty-eight hours, unless affirmed pursuant to Paragraph (b) of this Section. A violation of the order shall be a violation of this Chapter and its regulations.

(b) The Administrator shall request the Corporation Counsel to initiate a civil action to affirm the Administrator's order and to abate the hazard.

(c) Nothing in this Section limits any power which the Mayor or any other official may have to declare an emergency and act on the basis of such declaration.

(d) Nothing in this Section precludes civil or criminal enforcement against the owner or operator of the air contaminant emitter for violations of any applicable law.

Section 4-68: Other Enforcement Powers

Notwithstanding any other provision of this Chapter or its regulations, the Administrator may request the Corporation Counsel to initiate other civil actions authorized by Indiana law, including, but not limited to, injunctive relief.

Section 4-69: Board Enforcement

Whenever the Board determines that the Administrator has not initiated enforcement procedures within a reasonable time or taken appropriate enforcement action, the Board may enforce this Chapter and its regulations pursuant to the powers conferred upon the Administrator in this Article.

ARTICLE VII: GENERAL PROHIBITIONS

Section 4-70: Air Pollution

Any person who causes or creates air pollution, as defined in Section 4-11 of this Chapter, shall be in violation of this Chapter and its regulations and is subject to the enforcement procedures in Article VI.

Section 4-71 Open Burning Restricted; general prohibitions

(a) It shall be unlawful at all times to cause, suffer or allow any open burning on any real estate except that zoned or used for single- or double-family dwellings.

(b) It shall be unlawful to cause, suffer or allow any open burning of any substance other than wood products at any place within Marion County except as permitted by Sections 4-72 through 4-76; provided, no person shall cause, suffer, allow or permit the emission into the atmosphere of any substance or combination of substances from the burning of wood products as allowed therein in such quantities as to cause annoyance or constitute a nuisance so as to interfere with the health or well-being of any individual in his/her home or place of employment or recreation or as to interfere with the normal use and enjoyment of any such place.

Section 4-72: Residential Burning Limited

Residents of single- or double-family dwellings located on one or more residential lots shall be allowed to burn only wood products originating on the premises only as hereinafter provided between the hours of 10:00 a.m. to 7:00 p.m. on days when the wind speed is greater than five miles per hour and less than twenty miles per hour as given by the local office of the National Weather Service. Burning shall be more than fifteen feet from any structure, in a noncombustible container, sufficiently vented to induce adequate primary combustion air, with enclosed sides, a bottom and a mesh covering. Fires shall be attended at all times until completely extinguished. If fires create a nuisance, or a health hazard, they shall be extinguished.

Section 4-73: Limited Burning for Special Purposes

The open burning of wood products which does not create a nuisance or a fire hazard and which is attended by a responsible person at all times until completely extinguished are allowed for the following purposes:

- (a) Ceremonial fires and bonfires: A bonfire in connection with a religious ceremony, school pep rallies, scouting activities and similar purposes;
- (b) Camp fires and fires for cookouts;
- (c) Fire for personal comfort;
 - (1) Fires required for personal comfort;
 - (2) A bonfire in connection with recreational activities including but not limited to sledding and ice skating;
- (d) Open burning of agricultural wastes:
 - (1) Open burning of plant life grown on the premises in the course of agricultural operations, when it can be shown that such open burning is necessary and that no fire hazard will occur, provided the person intending to dispose of plant life by open burning shall obtain approval from the fire department which has jurisdiction and shall also notify the Indianapolis Air Pollution Control Division of the actual time and location of the burning.
 - (2) Any open burning permitted under the provision of this subsection shall be allowed only between the hours of 10:00 a.m. and 7:00 p.m., and only at times when the actual or forecast wind speed as given by the local National Weather Service is greater than five miles per hour and less than twenty miles per hour.
- (e) Indoor stoves and fireplaces: Fires shall be permitted in indoor wood stoves and fireplaces where such fire does not create an air pollution problem, a nuisance or a fire hazard.

Section 4-74: Fire Training

(a) The Administrator may authorize the intentional and controlled burning of up to eight actual or simulated structures in Marion County, in any one calendar year, for the exclusive purpose of training fire department personnel concerning fire fighting and fire prevention. Persons responsible for burning as authorized hereunder shall be consistent with the purpose and adequacy of the training involved and remove such contents or portions of any structure or structures which may cause excessive or hazardous emissions of air contaminants. Authorization by the Administrator shall be given only upon the basis of certification to the Administrator of the necessity of such training as would be permitted hereunder.

(b) Facilities which are designed for the training of fire fighting or fire prevention personnel may be utilized for controlled open burning for the exclusive purpose of training fire department personnel concerning fire fighting, fire rescue and survival, and fire prevention as provided under the provisions of this paragraph. Any such facilities shall be constructed, maintained and operated only at such locations, according to such standards and conditions, and pursuant to such restrictions as shall be particularly authorized and approved by the Board with respect to each such facility. The Board's approval of any such facility and any standards, conditions and restrictions pertaining to it shall be set forth in a permit to be issued by the Board. A permit shall only be issued after a public hearing, notice of which shall be given before promulgation by the Board of any rules or regulations. In addition, the person or persons requesting such approval shall, not less than fifteen days prior to the date of such hearing, either deliver personally or by registered or certified mail to the owner of all real estate located within one thousand feet of the real estate boundaries of the proposed facility (as the names of such owners shall appear on the latest records of the appropriate township assessors), a notice setting forth the name of the petitioner, the time and place of the hearing and a general description of the proposed facility and its operation.

(c) The Administrator may authorize industrial fire training where such fires are properly supervised by a responsible person; provided, however, that the Administrator may require compliance with such general or special restrictions, standards and qualifications as in the discretion of the Administrator are deemed advisable.

Section 4-75: Emergency Burning

(a) The Administrator may allow emergency burning of petroleum products, high explosives or other dangerous materials where such fires are properly controlled by a responsible person and are deemed necessary in the public interest.

(b) The Administrator may allow open burning of refuse consisting of material resulting from a disaster if the Mayor has declared such a disaster in the area.

Section 4-76: Variances for Open Burning

Open burning not otherwise allowed by this regulation may be allowed with prior receipt of a variance application and approval by the Administrator. The petitioner may appeal a denial of a variance request to the Board, pursuant to Section 4-80 of this Chapter.

Section 4-77: Liability

(a) Any person who allows the accumulation or existence of combustible material which constitutes or contributes to a fire causing air pollution shall not be excused from responsibility therefore on the basis that such fire was accidental or an act of God.

(b) The owner of property, as appearing in the latest records of the appropriate township assessor, where open burning in violation of this Article and its regulations occurs, shall be prima facie liable for the violation.

Section 4-78: Enforcement of Open Burning

The open burning provisions of this Article are enforceable by the Department of Public Works of the Consolidated City of Indianapolis and Marion County, the authorized designee of the Director of the Department of Public Works, and any duly appointed fire prevention or law enforcement officer within Marion County (including the excluded cities of Beech Grove, Lawrence, Southport and Speedway), acting on his/her own initiative or at the request of the Department of Public Works.

Section 4-79: Penalties for Open Burning

(a) A person violating open burning provisions of this Article may be served by an authorized enforcement person with a notice of violation as provided in Article III, Section 103 of the Revised Code of the Consolidated City of Indianapolis and Marion County, Enforcement Procedures - Ordinance Violations Bureau. The person upon whom a notice of violation is served may admit liability to the violation as provided in the above sections and pay a civil penalty of twenty-five (\$25.00) dollars.

(b) If, in the opinion of the authorized enforcement person, the violation is so substantial as to warrant a more severe penalty, the authorized enforcement person may issue a notice of violation and notify the Administrator who may initiate civil enforcement by submitting a written request to the Corporation Counsel to file a complaint of ordinance violation and/or to seek an injunction. The Administrator shall send notice of the written request to the person subject to the action.

(c) Except as otherwise provided herein, any person found in violation of the open burning provisions of this Article shall be fined an amount not to exceed \$2,500.00 for each violation. Each day in violation shall be considered a separate violation.

ARTICLE VIII: APPEALS, VARIANCES AND WAIVERS

Section 4-80: Appeals of Administrative Actions

(a) Right of Appeal: Any person affected by an appealable action of the Administrator may appeal to the Board for relief from the action.

(b) Appealable actions: Any action of the Administrator, except as provided in Subparagraphs (1) and (2) of this Paragraph, may be appealed to the Board.

(1) An emergency order issued pursuant to Section 4-67 of this Chapter may not be appealed to the Board.

(2) For a notice of violation (issued pursuant to Section 4-60 of this Chapter) which is referred to the Corporation Counsel for civil enforcement (pursuant to Section 4-62 of this Chapter), a person may appeal to the Board only for an interpretation of the regulation, permit or order allegedly violated.

(c) Procedures for making an appeal:

(1) Within fifteen days of the effective date of the Administrator's action, the appellant shall submit to the Administrator a written request to appeal to the Board. The request shall be addressed to the Board and shall state the basis for the appeal and the relief desired.

- (2) At the time of filing, the appellant shall post a fee of \$25.00 to cover the administrative cost of the hearing. The fee shall be refunded only if the appeal is sustained. The Board may waive the fee upon a showing of economic hardship.
 - (3) Submitting a request to appeal stays the Administrator's action until the Board renders a final decision on the appeal.
- (d) Hearing:
- (1) No later than fifteen days after the request to appeal is filed, the Administrator shall schedule a hearing before the Board. The hearing shall be no later than sixty days after the request to appeal is filed, unless the Board grants a continuance. The Administrator shall notify the appellant of the hearing date in writing.
 - (2) At the hearing the parties to the appeal may present evidence and cross-examine witnesses. The Board may establish time limits and procedures for presenting evidence, cross-examination and argument. The appellant has the burden of proving that the Administrator's action should be modified or reversed. Upon hearing the evidence presented, and no later than sixty days after the hearing is concluded, the Board shall affirm, modify or reverse the Administrator's action. The Board may order either party to act in accordance with its decision.
- (e) Effect of the Board's decision: The decision of the Board shall be binding on the parties unless reversed or otherwise modified by a court of competent jurisdiction.

Section 4-81: Variances

(a) Grounds: If a person demonstrates to the Board that compliance with the provisions of this Chapter or of its regulations would cause:

- (1) An arbitrary and unreasonable taking of property; or
- (2) A practical closing and elimination of any lawful business, occupation or activity; or
- (3) An undue hardship upon any person;

without a sufficient corresponding benefit or advantage to the public in the reduction of air pollution, the Board may grant a variance to that person. Before it may grant a variance, the Board shall hold a public hearing on the matter.

(b) Notice of hearing:

- (1) Notice by publication: At least fifteen days before the hearing, notice of the hearing shall be published in a newspaper of general circulation printed and published in Marion County. The notice shall state the time and place for the hearing and the subject matter of the hearing.
- (2) Notice to neighborhood organizations: At least fifteen days before the hearing, the person requesting the variance shall notify each neighborhood organization whose area (as delineated upon the Neighborhood Organization Map of the Department of Metropolitan Development) includes or is within one mile of the property which contains the air contaminant emitter subject to the proposed variance. The notice shall be written and delivered personally or by registered, certified or first class mail. The notice shall state the name of the person requesting the variance, the time and place of the hearing, a general description of the air contaminant emitter for which the variance is sought and the nature of the variance sought.
- (3) Personal notice: At least fifteen days before the hearing, the person requesting the variance shall notify the owners (as appearing in the latest records of the appropriate township assessor) of all real estate located within 660 feet of the property which contains the air contaminant emitter subject to the proposed variance. If the property owner's address is different than the address of the property, the person requesting the variance shall also direct the notice to the property address. The notice shall be written and shall be delivered in person or by registered, certified or first class mail. The notice shall state the name of the person requesting the variance, the time and place of the hearing, a general description of the air contaminant emitter for which the variance is sought and the nature of the variance sought.

- (4) Affidavit of notice: At least five days before the hearing, the person requesting the variance shall furnish to the Board proof of compliance with the above notice requirements. Such proof shall be in the format or on such forms as the Board may designate.

(c) Hearing: At the hearing, the person requesting the variance, the Administrator and any person affected by the proposed variance may appear to present evidence. The Board may establish time limits and procedures for presenting evidence, cross-examination and argument. No later than sixty days after the hearing is concluded, the Board shall render its decision to grant or deny the variance.

(d) Terms of variance: A variance shall prescribe terms other and different, but not more burdensome, from the requirements of this Chapter and its regulations. No variance may allow a person to cause or create air pollution as defined in Section 4-11 of this Chapter. The Board may limit the duration of the variance.

(e) Revocation or modification of variances: The Board may revoke or modify any variance it has granted. If the modification to the variance is de minimis or nonsubstantive, the Board shall deliver written notice to the person subject to the variance in person or by registered, certified or first class mail at least fifteen days before modifying the variance. If the Board is revoking a variance or making substantive modifications to the variance, the Board shall follow the procedures outlined in Paragraphs (b), (c) and (d) of this Section, except the burden of notification shall be upon the Administrator.

Section 4-82: Delegation of Waiver Authority to Administrator

(a) The Board, by regulation, may establish criteria and procedures which authorize the Administrator to waive the requirements of a regulation, provided public health and welfare are protected and such action does not create air pollution as defined in Section 4-11 of this Chapter.

(b) The Administrator may authorize waivers which allow the use of alternative air pollution control measures which are at least as effective as the measures established by regulation. At least once per year the Administrator shall report to the Board each waiver which allows the use of alternative air pollution control measures.

SECTION 2. The former Chapter 4, Article I through IV, Sections 4-1 through 4-160 of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed.

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

Councillor Gilmer asked for consent to hear Proposal No. 251, 1991 next. Consent was given.

PROPOSAL NO. 251, 1991. Councillor Gilmer voted against the passage of this proposal; therefore, he asked Councillor Cottingham to give the committee report. Councillor Cottingham reported that the Transportation Committee heard Proposal No. 251, 1991 on May 8, 1991. The proposal amends the Code by authorizing a 44 foot loading zone for the I.S.T.A. building on Capitol Avenue (District No. 16). By a 3-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cottingham further stated that Councillor Gilmer would like this proposal returned to committee for further study, and he agrees. Councillor Cottingham moved, seconded by Councillor Gilmer, to return the proposal to committee. Proposal No. 251, 1991 was returned to committee by unanimous voice vote.

PROPOSAL NOS. 189, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252 and 253, 1991. The President ruled that all these transportation proposal would be voted on together. PROPOSAL NO. 189, 1991. This proposal authorizes intersection controls at North and Oxford Streets (District No. 15). PROPOSAL NO. 236, 1991. This proposal amends the Code by authorizing intersection controls in the Georgetown Crossing and The Villages Subdivisions (District Nos. 1 and 5). PROPOSAL NO. 237, 1991. This proposal amends the Code by authorizing intersection controls in the Normandy Farms, Franklin Woods, Perry Woods, Farhill Woods, and Quail Creek Subdivisions (District Nos. 1, 13, 24). PROPOSAL NO. 238, 1991. This proposal amends the Code by authorizing intersection controls in the Harcourt Springs, Westchester Estates, and Crooked Creek Subdivisions; at Lafayette Boulevard and Lafayette Road; and at Lafayette Boulevard and Pike Plaza Road (District Nos. 1, 2, 8). PROPOSAL NO. 239, 1991. This proposal amends the Code by authorizing intersection controls in the Hidden Bay and the Woods of North Kessler Subdivisions (District Nos. 8 and 2). PROPOSAL NO. 240, 1991. This proposal amends the Code by deleting the intersection controls at the intersection of English Avenue and Villa Avenue; and by authorizing a one-way traffic flow on Villa Avenue from English Avenue to Southeastern Avenue (District No. 23). PROPOSAL NO. 241, 1991. This proposal amends the Code by authorizing parking restrictions on a segment of Meridian Street (District No. 20). PROPOSAL NO. 242, 1991. This proposal amends the Code by deleting parking restrictions on a segment of Meridian Street and adding a parking meter zone (District No. 21). PROPOSAL NO. 243, 1991. This proposal amends the Code by authorizing parking restrictions on the north side of 79th Street from Harcourt Road to Delbrook Drive (District No. 2). PROPOSAL NO. 244, 1991. This proposal amends the code by authorizing parking restrictions on the south side of 27th Street from Illinois Street to the first alley west of Illinois Street (District No. 9). PROPOSAL NO. 245, 1991. The proposal amends the code by authorizing parking control changes on College Avenue at 38th Street (District No. 9). PROPOSAL NO. 246, 1991. This proposal amends the Code by authorizing 45 degree angle parking on a segment of Audubon Road (District No. 15). PROPOSAL NO. 247, 1991. This proposal amends the Code by authorizing the removal of parking restrictions on Prospect Street between Keystone Avenue and State Avenue; and by authorizing a bus stop zone on Prospect Street on the north side, from State Avenue to a point 84 feet east of State Avenue (District No. 23). PROPOSAL NO. 248, 1991. This proposal amends the Code by authorizing parking restrictions on the east side of Brentwood Drive, from Breen Drive to a point 240 feet south of Stratford Court (District No. 5). PROPOSAL NO. 249, 1991. This proposal amends the Code by authorizing a 20 mph speed zone on 77th Street, from Westfield Boulevard to the east terminus (District Nos. 4 and 6). PROPOSAL NO. 250, 1991. This proposal amends the Code by authorizing a 35 mph speed zone on Dandy Trail between 38th and 46th Streets, and on 46th Street, from Dandy Trail to Lafayette Road (District No. 1). PROPOSAL NO. 252, 1991. This proposal amends the Code by authorizing a bus stop zone on the west side of Indiana Avenue from a point 54 feet north of New York Street to a point 109 feet north of New York Street (District No. 16). PROPOSAL NO. 253, 1991. This proposal amends the Code by authorizing a weight limit restriction on Millersville Road from 42nd Street to 46th Street; and on 42nd Street from Millersville Road to Sherman Drive (District No. 7). Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 189, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252 and 253, 1991 on May 8, 1991. By a 4-0 vote, the Committee reported Proposal No. 189, 1991 to the Council with the recommendation that it do pass. By a 5-0 vote, the Committee reported Proposal No. 245, 1991 to the Council with the recommendation that it do pass as amended. By a 5-0 vote, the Committee reported Proposal Nos. 236, 237, 238, 239, 240, 241, 242, 243, 244, 246,

247, 248, 249, 250, 252 and 253, 1991 to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Solenberg, for adoption. Proposal Nos. 189, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252 and 253, 1991 were adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, Williams*

0 NAYS:

1 NOT VOTING: *West*

2 NOT PRESENT: *Hawkins, Mukes-Gaither*

Proposal No. 189, 1991 was retitled GENERAL ORDINANCE NO. 51, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1991

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 20	North St. & Oxford St.	North St.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 20	North St. & Oxford St.	None	Stop

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

Proposal No. 236, 1991 was retitled GENERAL ORDINANCE NO. 52, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1991

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>
6, Pg. 1	Baywood Ci., Cedar Key Dr. & Split Tree Ct.	Cedar Key Dr.	Stop

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6, Pg. 2	Burrell Le., Hoff Ct. & Woodstone Dr.	Woodstone Dr.	Stop
6, Pg. 2	Cape Dr. & Crook Dr.	Cape Dr.	Stop
6, Pg. 2	Cape Dr. & Gerking Ct.	Cape Dr.	Stop
6, Pg.2	Cape Dr., Kiser Pt., & Lair Ct.	Cape Dr.	Stop
6, Pg. 2	Cape Dr. & Champions Dr.	Cape Dr./Champions Dr. (NB)	Stop
6, Pg. 2	Cape Dr., Lisering Ci., Trager Ct.	Cape Dr./ Lisering Ci.	Stop
6, Pg. 2	Cedar Key Dr., Shady Tree Ln., & Windwood Ci.	Cedar Key Dr.	Stop
6, Pg. 2	Cedar Key Dr., Gwin Way, & Village Way	Village Way	Stop
6, Pg. 3	Champions Dr. & Furlong Ci.	Champions Dr.	Yield
6, Pg. 3	Champions Dr., Pine Tree Blvd., & Village Way	Village Way	Stop
6, Pg. 3	Champions Dr. & Thoroughbred Run	Champions Dr.	Stop
6, Pg. 4	Crook Dr. N. & Lisering Ci.	Lisering Ci.	Stop
6, Pg. 4	Crook Dr. & Gwin Way	Crook Dr.	Stop
6, Pg. 4	Derby Ct. & Quarterhorse Dr.	Quarterhorse Dr.	Yield
6, Pg. 5	Jagged Rock Ct. & Pine Tree Blvd.	Pine Tree Blvd.	Yield
6, Pg. 5	Kruggle Ct., McNutt Ci., & Woodstone Dr.	Woodstone Dr.	Stop
6, Pg. 6	Metzger Ct. & Woodstone Way W. Dr.	Woodstone Way W. Dr.	Stop
6, Pg. 6	Pine Tree Blvd., Red Cedar Ct., & Wintergreen Way	Pine Tree Blvd.	Stop
6, Pg. 6	Pine Tree Blvd. & Rock Hollow Ci.	Pine Tree Blvd.	Yield
6, Pg. 6	Pine Tree Blvd., Sugar Pine Pt., &	Pine Tree Blvd.	Stop

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	White Fir Dr.		
6, Pg. 6	Pine Tree Blvd. & Woodstone Dr.	Pine Tree Blvd.	Stop
6, Pg. 6	Quarterhorse Dr. & Silk Ci.	Quarterhorse Dr.	Yield
6, Pg. 6	Quarterhorse Dr., Saddle Ct., & Thoroughbred Run	Quarterhorse Dr./ Thoroughbred Run	Yield
6, Pg. 6	Ray Ci. & Woodstone Way S. Dr.	Woodstone Way S. Dr.	Stop
6, Pg. 6	Shady Tree Le. & Woodbush Ct.	Shady Tree Le.	Yield
6, Pg. 6	Stirrup Ct. & Thoroughbred Run	Thoroughbred Run	Yield
6, Pg. 7	Village Way & Woodstone Way W. Dr.	Village Way	Stop
6, Pg. 7	Village Way & 86th St.	86th St.	Stop
6, Pg. 7	Woodstone Ct. & Woodstone Dr.	Woodstone Dr.	Yield
9, Pg. 1	Adamson Ct. & Pike View Dr.	Pike View Dr.	Yield
9, Pg. 1	Alder Ct. & Pike View Dr.	Pike View Dr.	Stop
9, Pg. 1	Bridger Ct., Cross Key Dr., & Middleton Ct.	Cross Key Dr.	Stop
9, Pg. 1	Cross Key Ct., Granger Le., & Pike View Dr.	Granger Le. & Pike View Dr. (WB)	Stop
9, Pg. 1	Cross Key Dr. & Cross Key Dr. W.	Cross Key Dr.	Stop
9, Pg. 1	Cross Key Dr., Cross Key Dr. W., & Donner Le.	Cross Key Dr.	Stop
9, Pg. 1	Cross Key Dr. & Granger Le.	Cross Key Dr.	Stop
9, Pg. 2	Georgetown Rd. & Pike View Dr.	Georgetown Rd.	Stop
9, Pg. 2	Granger Ct. & Granger Le.	Granger Le.	Stop
9, Pg. 2	Granger Le. & Harpers Le.	Granger Le.	Stop
9, Pg. 3	Pike View Ct. & Pike View Dr.	Pike View Dr.	Yield

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

Proposal No. 237, 1991 was retitled GENERAL ORDINANCE NO. 53, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1991

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>
1, Pg. 1	Baden Dr. & Normandy Way	Normandy Way	Stop
1, Pg. 2	Normandy Blvd. & Sauterne Dr.	Normandy Blvd.	Stop
1, Pg. 2	Perrier Ct. & Perrier Dr.	Perrier Dr.	Stop
1, Pg. 2	Perrier Dr. & Sauterne Ct.	Perrier Dr.	Stop
40, Pg. 1	Arlington Av. & Crystal Water Dr.	Arlington Av.	Stop
40, Pg. 1	Arlington Av. & Timber Lake Blvd.	Arlington Av.	Stop
40, Pg. 1	Bold Ruler Dr. (5710 E.) & Foolish Pleasure Le.	Foolish Pleasure Le.	Stop
40, Pg. 1	Bold Ruler Dr. (5840 E.) & Foolish Pleasure Le.	Foolish Pleasure Le.	Stop
40, Pg. 2	Bryan Dr. & Brunswick Av.	Bryan Dr.	Stop
40, Pg. 2	Bryan Dr., Perry Woods Ct., Perry Woods Way, & Whalen Av.	Bryan Dr. & Whalen Av.	Stop
40, Pg. 3	Covey Ci. & Quail Creek Blvd.	Quail Creek Blvd.	Stop
40, Pg. 3	Crystal Water Dr. & First Lady Blvd.	First Lady Blvd.	Stop
40, Pg. 3	Dan Patch Ct. & Dan Patch Dr.	Dan Patch Dr.	Yield
40, Pg. 3	Edgewood Av. & Quail Creek Blvd.	Edgewood Av.	Stop
40, Pg. 4	Foolish Pleasure Le. & Shelbyville Rd.	Shelbyville Rd.	Stop

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40, Pg. 4	Fred's Ct. & Marybelle Le.	Fred's Ct.	Yield
40, Pg. 4	Fred's Ct. & Quail Creek Blvd.	Quail Creek Blvd.	Stop
40, Pg. 4	Judaco Dr., Raylin Dr., & Whalen Ave.	Judaco Dr. & Raylin Dr.	Stop
40, Pg. 4	McFarland Rd. & Raylin Dr.	McFarland Rd.	Stop
40, Pg. 6	Timber Lake Blvd. & Timber Lake Way	Timber Lake Blvd.	Stop

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

Proposal No. 238, 1991 was retitled GENERAL ORDINANCE NO. 54, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1991

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Cardigan Rd. & Charlecot Dr.	None	None
3, Pg. 2	Cardigan Rd. & Chiltern Dr.	None	None
3, Pg. 2	Charlecot Dr. & Chiltern Dr.	None	None
3, Pg. 2	Charlecot Dr. & Thornycroft Dr.	None	None
3, Pg. 3	Chiltern Dr. & Westleigh E. Dr.	None	None
3, Pg. 5	Folkstone Rd. & Westleigh W. Dr.	None	None
3, Pg. 8	Shottery Ter. & 82nd St.	None	None
3, Pg. 8	Shottery Ter. & Thornycroft Dr.	None	None
3, Pg. 8	Shottery Ter. & Westleigh W. Dr.	None	None
3, Pg. 8	Thornycroft Dr. & Walney Rd.	None	None

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 1	Camberwood Dr. & Langston Dr.	Camberwood Dr.	Stop
2, Pg. 1	Crickwood Ci. & Crickwood Pl.	Crickwood Pl.	Yield
2, Pg. 1	Crickwood Ct. & Crickwood Pl.	Crickwood Pl.	Yield
2, Pg. 1	Crickwood Dr. & Crickwood Le.	Crickwood Dr.	Stop
2, Pg. 1	Crickwood Le., Langston Dr. & Lipincott Way	Langston Dr. & Lipincott Way	Stop
2, Pg. 1	Crickwood Pl. & Langston Dr.	Langston Dr.	Stop
3, Pg. 2	Cardigan Rd. & Charlecot Dr.	Charlecot Dr.	Stop
3, Pg. 2	Cardigan Rd. & Chiltern Dr.	Cardigan Rd.	Stop
3, Pg. 2	Charlecot Dr. & Chiltern Dr.	Chiltern Dr.	Stop
3, Pg. 2	Charlecot Dr. & Thornecroft Dr.	Charlecot Dr.	Stop
3, Pg. 3	Chiltern Dr. & Westleigh E. Dr.	Westleigh E. Dr.	Stop
3, Pg. 5	Folkstone Rd. & Westleigh W. Dr.	Westleigh W. Dr.	Stop
3, Pg. 5	Harcourt Rd. & Harcourt Springs Blvd.	Harcourt Rd.	Stop
3, Pg. 5	Harcourt Springs Blvd. & Harcourt Springs Pl.	Harcourt Springs Pl.	Stop
3, Pg. 5	Harcourt Springs Dr. & Harcourt Springs Terr.	Harcourt Springs Dr.	Stop
3, Pg. 5	Harcourt Springs Dr. & 79th St.	79th St.	Stop
3, Pg. 8	Shottery Ter. & Thornecroft Dr.	Thornecroft Dr.	Stop
3, Pg. 8	Shottery Ter. & Westleigh W. Dr.	Shottery Ter.	Stop
3, Pg. 8	Shottery Ter. & 82nd St.	82nd St.	Stop
3, Pg. 8	Thornecroft Dr. & Walney Rd.	Thornecroft Dr.	Stop

16, Pg. 6	Lafayette Blvd. & Lafayette Rd.	Lafayette Rd.	Stop
16, Pg. 6	Lafayette Blvd. & Pike Plaza Rd.	Pike Plaza Rd.	Stop

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

Proposal No. 239, 1991 was retitled GENERAL ORDINANCE NO. 55, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1991

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Bay Harbor Dr. & Bay Harbor Le.	Bay Harbor Dr.	Stop
9, Pg. 1	Bay Harbor Dr. & Cotton Bay Dr. N.	Cotton Bay Dr. N.	Stop
9, Pg. 1	Bay Harbor Dr. & High School Rd.	High School Rd.	Stop
9, Pg. 1	Bay Harbor Le. & Cotton Bay Dr. W.	Cotton Bay Dr. W.	Stop
9, Pg. 1	Cotton Bay Dr. N. & High School Rd.	High School Rd.	Stop
17, Pg. 6	Kessler Blvd., N. Dr. & Sunmeadow Dr.	Kessler Blvd., N. Dr.	Stop
17, Pg. 9	Sunmeadow Ci. & Sunmeadow Le.	Sunmeadow Le.	Yield
17, Pg. 9	Sunmeadow Ct. , Sunmeadow Dr. & Sunmeadow Le.	Sunmeadow Ct. & Sunmeadow Le.	Stop
17, Pg. 9	Sunmeadow Le. & 42nd St.	42nd St.	Stop
17, Pg. 9	Sunmeadow Le. & Sunnyfield Ct.	Sunmeadow Le.	Stop

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

Proposal No. 240, 1991 was retitled GENERAL ORDINANCE NO. 56, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1991

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated, and Section 29-92, Schedule of intersection controls.

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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 addition of the following, to wit:

NORTHBOUND

Villa Avenue, from English Avenue
to Southeastern Avenue

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 8	English Ave. & Villa Ave.	English Ave.	Stop

SECTION 3. 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>
32, Pg. 8	English Ave. & Villa Ave.	None	None

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

Proposal No. 241, 1991 was retitled GENERAL ORDINANCE NO. 57, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1991

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

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

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

Meridian Street, on the east side, from Morris Street
to a point 75 feet south of Morris Street

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

Proposal No. 242, 1991 was retitled GENERAL ORDINANCE NO. 58, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1991

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours; Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets; and Section 29-283, Parking meter zones designated.

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

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

ON ANY DAY EXCEPT
SUNDAYS AND HOLIDAYS
From 6:00 am. to 9:00 a.m.

Meridian Street, on the east side, from
Louisiana Street to a point 90 feet south of Washington Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

Meridian Street, on the east side, from the south
curbline of Washington Street to a point 90 feet south

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the deletion of the following, to wit:

TWO HOUR

Meridian Street, on the east side, from
a point 118 feet north of Georgia Street
to a point 90 feet south of Washington Street

SECTION 4. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

TWO HOUR

Meridian Street, on the east side, from a point
118 feet north of Georgia Street to Washington Street

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

Proposal No. 243, 1991 was retitled GENERAL ORDINANCE NO. 59, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 1991

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

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

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

Seventy-ninth Street, on the north side, from
Harcourt Road to Delbrook Drive

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

Proposal No. 244, 1991 was retitled GENERAL ORDINANCE NO. 60, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 1991

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

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

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

Twenty-seventh Street, on the south side, from
Illinois Street to the first alley
west of Illinois Street

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

Proposal No. 245, 1991 was retitled GENERAL ORDINANCE NO. 61, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 1991

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

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

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

College Avenue, on both sides,
from 37th Street to 39th Street

College Avenue, on the east side,
from Watson Road to 39th Street

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

ON ANY DAY
EXCEPT SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m.

College Avenue, on the west side,
from 39th Street to Fairfield Avenue

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

College Avenue, on the east side, from
Fairfield Avenue to Watson Road

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

College Avenue, on the west side,
from 260 feet south of the south curblineline of 38th Street
to a point 360 feet north of the north curblineline of 38th Street

College Avenue, on the east side,
from 225 feet south of the south curblineline of 38th Street
to a point 525 feet north of the north curblineline of 38th Street

SECTION 4. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

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ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m.

College Avenue, on the west side, from 260 feet
south of the south curblineline of 38th Street
to Fairfield Avenue

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

Proposal No. 246, 1991 was retitled GENERAL ORDINANCE NO. 62, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 1991

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-254, Manner of parking; and Section 29-283, Parking meter zones designated 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 29-254, Manner of parking, be, and the same is hereby amended by the addition of the following, to wit:

(b) Forty-five-degree angles.

Audubon Road, on the west side, from a point 30 feet
north of the north curblineline of Washington Street
to a point 135 feet north of Washington Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

TWO HOUR

Audubon Road, on both sides, from a point 30 feet
north of the north curblineline of Washington Street,
to a point 135 feet north of Washington Street

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

Proposal No. 247, 1991 was retitled GENERAL ORDINANCE NO. 63, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 1991

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing, and parking prohibited on designated locations, and Section 29-332, Bus stop and trolley stop 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 29-271, Stopping, standing, and parking prohibited on designated locations, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY
EXCEPT SATURDAY AND SUNDAY
From 6:00 a.m. to 9:00 a.m.

Prospect Street, on the north side, from Keystone Avenue
to State Avenue

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

Prospect Street, on the south side, from Keystone avenue
to State Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-332, Bus stop and trolley stop zones, be, and the same is hereby amended by the addition of the following, to wit:

BUS STOP ZONES

Prospect Street, on the north side, from State Avenue to
a point 84 feet east of State Avenue (84 ft)

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

Proposal No. 248, 1991 was retitled GENERAL ORDINANCE NO. 64, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1991

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

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

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

Brentwood Drive, on the east side, from
Breen Drive to Stratford Court

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Brentwood Drive, on the east side, from
Breen Drive to a point 240 feet
south of Stratford Court

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

Proposal No. 249, 1991 was retitled GENERAL ORDINANCE NO. 65, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1991

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

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 limits, be, and the same is hereby amended by the addition of the following, to wit:

Seventy-seventh Street, from Westfield Boulevard
to the east terminus, 20 mph

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

Proposal No. 250, 1991 was retitled GENERAL ORDINANCE NO. 66, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1991

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

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 limits, be, and the same is hereby amended by the deletion of the following, to wit:

Forty-sixth Street, from Reed Road to Lafayette Road, 40 mph

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

Dandy Trail, from Thirty-eighth Street to Forty-sixth Street, 35 mph

Forty-sixth Street, from Dandy Trail to Lafayette Road, 40 mph

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

Proposal No. 252, 1991 was retitled GENERAL ORDINANCE NO. 67, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1991

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-332, Bus stop and trolley stop 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 29-332, Bus stop and trolley stop zones, be, and the same is hereby amended by the addition of the following, to wit:

BUS STOP ZONE

Indiana Avenue, on the west side, from a point
54 feet north of New York Street to a point
109 feet north of New York Street (55 feet)

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

Proposal No. 253, 1991 was retitled GENERAL ORDINANCE NO. 68, 1991 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1991

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:

May 20, 1991

11,000 POUNDS GROSS WEIGHT

Millersville Road, from Forty-second Street
to Forty-sixth Street

Forty-second Street, from Millersville Road
to Sherman Drive

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

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Irvin distributed to all Councillors copies of the results of surveys filled out by residents at this year's annual Southside community forum. The surveys will become part of a national study about neighborhoods being conducted by the Maryland-based Harwood Group.

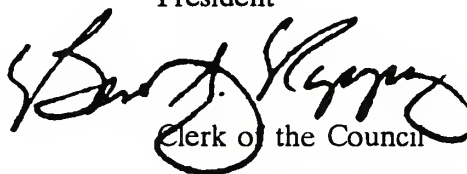
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:26 p.m.

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 20th day of May 1991.

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



President



Clerk of the Council

ATTEST:

(SEAL)