

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

**REGULAR MEETINGS
MONDAY, FEBRUARY 24, 1992**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, February 24, 1992, with Councillor SerVaas presiding.

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

The President introduced W. Tobin McClamroch, who has been chosen to fill the at-large vacancy created by the resignation of David Brooks.

ROLL CALL

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

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams
1 ABSENT: Schneider

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Borst introduced Fred Madorin, former director of the Department of Transportation. Councillor O'Dell introduced Julee Wahley, interim director of the Department of Parks.

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:

Journal of the City-County Council

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, February 24, 1992, 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

February 11, 1992

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, February 13, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 53 and 55, 1992, to be held on Monday, February 24, 1992, at 7:00 p.m., in the City-County Building.

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

February 11, 1992

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, February 13, 1992, a copy of LEGAL NOTICE on General Ordinance No. 1, 1992.

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

Notice is hereby given that zoning Proposal Nos. 43 and 77, 1992 (91-AO-2 and 92-AO-1) may be considered for adoption at the City-county Council meeting on February 24, 1992 at 7:00 p.m. in the Council Chambers.

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

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, Beverly S. Rippy, the following ordinances and resolutions:

SPECIAL RESOLUTION NO. 10, 1992, recognizing African-American veterans during Black History Month.

SPECIAL RESOLUTION NO. 11, 1992, urging continuation of the White River State Park Development Commission.

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SPECIAL RESOLUTION NO. 12, 1992, approving the leasing of certain real estate of the Department of Parks and Recreation.

COUNCIL RESOLUTION NO. 5, 1992, reviewing the Community Corrections program for fiscal year 1992-93 and approving the actions of the Community Corrections Advisory Board with respect to the 1992-93 grant application to the State.

FISCAL ORDINANCE NO. 9, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional \$96,430 of Home Detention User Fee Fund for the purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

GENERAL ORDINANCE NO. 2, 1992, amending Chapter 151 of the Revised Code revising the Council rules establishing committees.

Respectfully,
s/Stephen Goldsmith
Stephen Goldsmith

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 February 10, 1992. There being no additions or corrections, the minutes were approved as distributed.

COUNCILLOR HOWARD'S STATEMENT

Councillor Howard read a statement concerning the recent layoffs in city government by Mayor Stephen Goldsmith's administration. He urged better treatment of city workers and asked the mayor to set up a special office to help the laid-off workers find other employment.

Senior Deputy Mayor Robert Wood commented that the mayor's administration is assisting workers in finding other employment, but it is the administration's full intent to fulfill the campaign promises of less government with services delivered in a more efficient and more effective manner.

Councillor Black stated that he believes layoffs should be determined by seniority and he favors unionization of all city workers.

Councillor Franklin stated that he disagrees with the mayor's statement that the city has a \$21 million deficit and Councillor Franklin believes that there is no need to lay off city employees.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 87, 1992. This proposal, sponsored by Councillor Williams, congratulates the Arsenal Tech Constitution team who won the state's National Bicentennial Competition on the Constitution and Bill of Rights contest. Councillor Williams read the resolution and presented copies of the document to the team members. Their coach and teacher, Karl

Schneider, expressed appreciation for the recognition. Councillor Williams moved, seconded by Councillor Jones, for adoption. Proposal No. 87, 1992 was adopted by unanimous voice vote.

Proposal No. 87, 1992 was retitled SPECIAL RESOLUTION NO. 13, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1992

A SPECIAL RESOLUTION congratulating the Arsenal Tech Constitution team.

WHEREAS, the first year that Arsenal Technical High School entered the National Bicentennial Competition on the Constitution and Bill of Rights, the team placed fifth in the state; and

WHEREAS, since that time, teacher Karl Schneider's government class--which is the school team--has won the state crown three years in a row; and

WHEREAS, the competition consists of questions about the United States Constitution, its Bill of Rights and the history and philosophy associated with these important living documents; and

WHEREAS, in April the Arsenal Tech champions will represent Indiana at the national finals in Washington, D.C.; 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 congratulates Mr. Karl Schneider's Arsenal Technical High School government class for winning the state National Bicentennial Competition on the Constitution and Bill of Rights contest.

SECTION 2. The Council specifically recognizes class members Raymond Allison, Lavonna Anderson, Angelica Barnes, Kim Bates, Bayyinah Batts, Michael Bogan, Abigail Bradley, Tiombe Burton, Michael Buselli, James Curtis, Lonnie Fultz, Sarah Gilchrist, Shannon Grady, Tysha Hardy, Kristin Harling, Marvin Harris, Philmore Hutchins, Anessa Jackman, Courtney Jones, Midge Kelley, Kelly Kuner, Tomika Lamb, Jonathan Meyer, India Paul, Donald A. Peiper, Gary Rainey, Michelle Reed, Natalie Scott, Dara Shamblin, Dountonia Slack, Michael Smith, Joseph Sterrett, Sheila Sutton, Allen Tuttle, Ame Walters, Brian Wilburn, Damon Williams and Tracee Wisdom.

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. 88, 1992. This proposal, sponsored by Councillor Hinkle, recognizes the Fulton Falcons basketball team. Councillor Hinkle said he will present this resolution to the team at the school's awards program. Councillor Hinkle moved, seconded by Councillor Giffin, for adoption. Proposal No. 88, 1992 was adopted by unanimous voice vote.

Proposal No. 88, 1992 was retitled SPECIAL RESOLUTION NO. 14, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1992

A SPECIAL RESOLUTION recognizing the Fulton Falcons basketball team.

WHEREAS, Wayne Township's 9th grade Fulton Falcons basketball team was undefeated in 15 games during the 1991-92 basketball season; and

WHEREAS, earlier this month, the Falcons increased their winning streak to 19 after beating the Lawrence Township team 57-31 in the Marion County Tournament final game; and

WHEREAS, this team also was unbeaten last season as 8th graders; and

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WHEREAS, Coach Larry Pratt considers this the best team he has coached in his 30 years of coaching; 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 congratulates the 9th grade Fulton Falcons for their two back-to-back perfect record basketball seasons, including the Marion County Championship Title.

SECTION 2. The Council specifically recognize winning team members: Ahmed Bellamy, Mike Collins, James Cooper, Sean Cromley, Damon Frierson, Matt Lawrence, Joe Leo, Henry Lonnemann, Pat Moran, James Patterson, Jerrin Patterson, Joe Sabo, Denny Sparks, Greg Taylor, Tim Williams, Rusty Wright, as well as Managers David Clark and Jeff Voris, Statistician Linda Lehman, Coach Larry Pratt, and all the supportive parents, fans and school staff.

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. 89, 1992. This proposal, sponsored by Councillor Beadling, recognizes Habitat for Humanity. Councillor Beadling read the resolution and presented a framed document to Kevin O'Brien, executive director, Habitat for Humanity of Greater Indianapolis, who expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor West, for adoption. Proposal No. 89, 1992 was adopted by unanimous voice vote.

Proposal No. 89, 1992 was retitled SPECIAL RESOLUTION NO. 15, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1992

A SPECIAL RESOLUTION recognizing Habitat for Humanity.

WHEREAS, in 1976, millionaire Millard Fuller gave away all his earthly possessions and founded Habitat for Humanity, a Christian-based organization dedicated to homeownership for the poor; and

WHEREAS, since its founding, Habitat for Humanity of Americus, Georgia, has grown throughout America and to many foreign nations; and

WHEREAS, since Habitat for Humanity of Greater Indianapolis started in 1987, 27 new modest homes have been built and three homes rehabilitated, mostly in Center Township; and

WHEREAS, Habitat homeowners must perform 400 hours of sweat equity labor for their down payment, must make no-interest revolving fund house payments and are counseled on personal budgeting skills; and

WHEREAS, Habitat for Humanity of Greater Indianapolis has experienced an exceptional success rate of only one eviction since its beginning; 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 commends the noble and unselfish work of Millard Fuller and the international and local Habitat for Humanity organizations.

SECTION 2. The Council applauds the 4,000 volunteer laborers, the many contractors, skilled construction workers, Church congregations and corporate sponsors who have put their backs and pocketbooks into action to help improve housing in this community.

SECTION 3. The Council wishes Habitat for Humanity of Greater Indianapolis well in its ambitious 1992 goal of 17 new homes in near-southwest Indianapolis and in Beech Grove.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 79, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reorganizing and expanding the internal audit functions by establishing an Internal Audit Agency to replace the division of internal audit"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 80, 1992. Introduced by Councillors Coughenour, Rhodes, Gilmer, Beadling, Black, Borst, Boyd, Brents, Curry, Franklin, Hinkle, Howard, Jimison, Jones, Mullin, O'Dell, SerVaas, Shambaugh, Smith, West and Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reorganizing the administration of cable franchise and establishing a Cable Franchise Oversight Agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 81, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 82, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION appropriating \$425,328 for the Metropolitan Emergency Communications Agency to pay Indiana Bell Telephone, Inc. for Enhanced 9-1-1 equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 83, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$44,100 for the Superior Court, Criminal Division, Probation Department, to lease additional office space"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 84, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by updating the county corrections fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 85, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the issuance of City of Indianapolis Sanitary District Refunding Bonds of 1992 in an amount not to exceed \$25,000,000 in order to effect a savings to the Sanitary District"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 86, 1992. Introduced by Councillors Hinkle, Curry, Giffin and Golc. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION directing the Public Works Committee to study the Ben Davis Conservancy District"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 90, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Regional Center Zoning Ordinance to exempt any lot located within any locally-designated historic

preservation area from the requirements and approval procedures of the Regional Center Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 91, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Dwelling Districts Zoning Ordinance to provide for an exception to the D-8 district regulations affecting locally-designated historic preservation areas"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 97, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Ray Battey to the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 98, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Ruby Miller to the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 99, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 101, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Donald J. Hargadon to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 102, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joe M. Rink to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 103, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Rudy Hightower to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 104, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Phillip Hinkle to the Marion County Board of Tax Adjustment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 105, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ron Franklin to the Public Housing Advisory Council"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 106, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Michael McQuillen to

the Public Housing Advisory Council"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 107, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Henry C. Bock, M.D. to the Health & Hospital Corporation"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 108, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Philip D. Pecar to the Health & Hospital Corporation"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 109, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing J. Lloyd Grannon to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 110, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Chris R. Lowery to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 111, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing William S. Gardiner to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 112, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Elliott Nelson to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 113, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Philip C. Borst, D.V.M. to the Indianapolis-Marion County Forensic Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 114, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Tony Buford to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 116, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Howard Howe to the Transportation Board"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 117, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Holley Holmes to the Transportation Board"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 118, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Louis Lopez to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 119, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Sue Shively to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 120, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Doris Stigler to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 121, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing W. Tobin McClamroch to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 122, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing J. Byron Jensen to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 123, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Jeffrey Roberts to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 124, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Lelia Smith to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 125, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 126, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Claudia Prosser to the Indianapolis City-Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 127, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 128, 1992. Introduced by Councillors Boyd and West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Michael Rodman to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 129, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Randolph L. Snyder to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 130, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 131, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 132, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mark A. Gibson to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 133, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Walter Stephen Johnes to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 135, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 136, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Alice Buckler to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 137, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Betty W. Enloe to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 78, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 78, 1992 on February 19, 1992. The proposal is a special ordinance authorizing the Amendment of Documents relating to \$2,300,000 City of

February 24, 1992

Indianapolis Economic Development First Mortgage Refunding Revenue Bonds, Series 1983 (Wulsin Associates Project) (Dated as of March 1, 1983). These bonds were issued in 1983 for Wulsin Associates for the acquisition and renovation of the Wulsin Building, 222 East Ohio Street. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 78, 1992 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Black, Short

1 NOT PRESENT: Schneider

Proposal No. 78, 1992 was retitled SPECIAL ORDINANCE NO. 1, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1992

A SPECIAL ORDINANCE approving the execution of document amendments relating to previously-issued City of Indianapolis Economic Development Revenue Bonds, Series 1983 (Wulsin Associates Project) and approving and authorizing other actions in respect thereto.

WHEREAS, City of Indianapolis (the "Issuer") issued its Economic Development Revenue Bonds, Series 1983 (Wulsin Associates Project) (the "Bonds"), pursuant to a Trust Indenture dated as of March 1, 1983 (the "Indenture") with INB National Bank (formerly, The Indiana National Bank, as Trustee (the "Trustee"), and loaned the proceeds thereof to Wulsin Associates (the "Company") pursuant to a Loan Agreement, Mortgage and Security Agreement between the Issuer and the Company dated as of March 1, 1983 (the "Loan Agreement") as evidenced by the Company's execution of its First Mortgage Note, Series 1983 (the "Series 1983 Note"); and

WHEREAS, pursuant to Section 902 of the Indenture the Issuer and the Trustee may, with the approval of The Cincinnati Insurance Company, or registered assigns (the "Bondholder"), enter into an indenture supplemental to the Indenture as shall be deemed necessary and desirable by the Issuer for the purpose of modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in the Indenture including, with the consent of the holder of the affected bonds an extension of the stated maturity or reduction in the principal amount of, or reduction in the rate or extension of the time of paying of interest on or reduction of any premium payable on the redemption of any bonds; and

WHEREAS, Section 902 of the Indenture provides that a supplemental indenture which affects any rights of the Company shall not become effective unless and until the Company shall have consented in writing to the execution and delivery of such supplemental indenture; and

WHEREAS, Section 903 of the Indenture provides that no amendment or supplement may be made to the Indenture without the prior written consent of INB National Bank as letter of credit bank (the "Bank"); and

WHEREAS, the Bondholder has given notice to the Trustee of its demand pursuant to Section 501(b)(ii) of the Indenture that the Bonds be purchased by the Company on December 31, 1991; and

WHEREAS, pursuant to Section 9.1 of the Loan Agreement but subject to the provisions of Article X of the Indenture and, subject to the consent of the Trustee and the Bank, the Company and the Trustee may, from time to time, enter into such supplements and amendments to the Loan Agreement as to them may seem necessary or desirable to effectuate the purposes or intent thereof; and

WHEREAS, Section 1003 provides that payments of principal and interest under the Loan Agreement and the Notes (as therein defined) may be altered by an amendment to the Loan Agreement with the consent of the holders of all the Bonds at the time outstanding, and of the Bank; and

WHEREAS, the Company has not timely made the December 31, 1991 payment due on the Series 1983 Note, and has failed to purchase the Bonds on December 31, 1991, as required by Section 501(b)(ii) of the Indenture; and

WHEREAS, the Company and the Bondholder have agreed, subject to the approval of the Issuer and the Bank, to make certain changes to the terms of the Bonds, the Indenture and the Loan Agreement which changes are set forth in a 1992 Supplemental Indenture To The Indenture dated as of February 1, 1992 (the "1992 Supplemental Indenture"), a 1992 Amendment To The Loan Agreement (the "1992 Amendment To The Loan Agreement") dated as of February 1, 1992, an Amended and Restated First Mortgage Note, Series 1983 from the Company to the Issuer (the "Amended and Related Note") and the amended form of the Bond to be dated as of February 1, 1992 (the "Bond, as amended"); and

WHEREAS, the continuing exclusion from gross income of the interest on the Bonds for federal income tax purposes may be subject to the Issuer's approval of modifications to the terms of the Bonds;

WHEREAS, the Indianapolis Economic Development Commission on February 19, 1992 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the 1992 Supplemental Indenture, 1992 Amendment To The Loan Agreement, Amended and Restated Note and Bond, as amended (collectively referred to as the "Amended Documents") complies with the purposes and provisions of Indiana Code 36-7-11.9 and Indiana Code 36-7-12 (collectively the "Act") and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Amended Documents by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the execution of the Amended Documents will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Amended Documents approved by the Indianapolis Economic Development Commission is hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Amended Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Amended Documents approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Amended Documents approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in IC 36-7-12-27 (a)(1) through (a)(10).

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

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

PROPOSAL NOS. 92-96, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 20, 1992". Councillor Black moved that Proposal No. 93, 1992 be scheduled for a public hearing:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 93, 1992 (Rezoning Petition No. 91-Z-174) be scheduled for a hearing before this Council at its next regular meeting on March 16, 1992 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

/s/ Elwood Black

February 24, 1992

By Consent the motion was adopted. Proposal No. 93, 1992 is identified as follows:

91-Z-174 CENTER TOWNSHIP, COUNCILMANIC DISTRICT #09.
3737-47 NORTH COLLEGE AVENUE, INDIANAPOLIS.
CONTINENTAL REALTY AND DEVELOPMENT COMPANY, by Thomas Michael Quinn and Michael D. Keele, requests the rezoning of 0.55 acre, being in the D-8 District, to the C-3 classification to provide for commercial development.

The Council did not schedule Proposal Nos. 92, 94, 95 and 96, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 92, 94, 95 and 96, 1992 were retitled REZONING ORDINANCE NOS. 22-25, 1992 and are identified as follows:

REZONING NO. 22, 1992. 91-Z-170 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #18.
33 NORTH FLEMING STREET, INDIANAPOLIS.
BETTY J. STONE requests the rezoning of 0.61 acre, being in the C-3 District, to the D-5 classification to provide for residential development.

REZONING NO. 23, 1992. 91-Z-178 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT #11.
5331 EAST 38TH STREET, INDIANAPOLIS.
KYONGCHANG KUM, by James L. Touhy, requests the rezoning of 1.2 acres, being in the D-4 District, to the C-3 classification to provide for retail sales of women's apparel.

REZONING NO. 24, 1992. 92-Z-7 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 01.
5354 WEST 62ND STREET (approximate address), INDIANAPOLIS.
NATIONAL BENEVOLENT ASSOCIATION OF THE CHRISTIAN CHURCH (DISCIPLES OF CHRIST), by Mary E. Solada, requests the rezoning of 70.96 acres, being in the D-P District, to the D-P classification to permit a day care center in an existing planned unit development and to modify the site plan approved with petitions 85-Z-183/85-DP-8.

REZONING NO. 25, 1992. 92-Z-8
6825 SUNNYSIDE ROAD, (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #05.
MSE CORPORATION requests the rezoning of 38.8 acres, being in the D-A/FP/FW District, to the D-3/FP/FW classification.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 4 and 5, 1992. PROPOSAL NO. 4, 1992. The proposal appropriates \$450,500 for the Marion County Superior Courts to establish and operate the Public Defender Services Agency. PROPOSAL NO. 5, 1992. The proposal appropriates \$297,206 for the Public Defenders Services Agency to pay the costs of adding two public defenders for each Criminal Court and two public defenders for the Juvenile Court. Councillor Dowden asked for consent to postpone Proposal Nos. 4 and 5, 1992 until March 16, 1992. Consent was given.

PROPOSAL NO. 29, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 29, 1992 on February 19, 1992. The proposal transfers and appropriates \$90,700 to technically amend the budget with respect to allocations for Public Defender Services. By a 8-0 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 8:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 29, 1992, as amended, was adopted on the following roll call vote; viz:

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24 YEAS: *Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

4 NOT VOTING: *Beadling, Borst, Hinkle, Smith*

1 NOT PRESENT: *Schneider*

Proposal No. 29, 1992, as amended, was retitled FISCAL ORDINANCE NO. 10, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Ninety Thousand Seven Hundred Dollars (\$90,700) in the County General Fund for purposes of Public Defender Services and reducing certain other appropriations for that office.

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, Sections 2.01 (ee), (ff), (gg), (hh), (ii), (jj), (vv), (xx), and (ccc) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated to technically amend the budget to corrected allocations for Public Defender Services.

SECTION 2. The sum of Ninety Thousand Seven Hundred Dollars (\$90,700) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$ 2,880
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	3,600
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,880
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,158
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	3,600
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	3,595
 <u>SUPERIOR COURT, GENERAL TERM REPORTER</u>	
3. Other Services and Charges	8,420
 <u>COMBINED - PUBLIC DEFENDER SERVICES, COURT SERVICES</u>	
3. Other Services and Charges	<u>63,567</u>
TOTAL INCREASE	<u>\$90,700</u>

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

<u>COURT SERVICES</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$83,000
 <u>COMBINED - PUBLIC DEFENDER SERVICES, SUPERIOR COURT, TITLE IV-D COURT</u>	
3. Other Services and Charges	<u>7,700</u>
TOTAL REDUCTION	<u>\$90,700</u>

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

PROPOSAL NO. 53, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 53, 1992 on February 11, 1992. The proposal appropriates \$4,000 for the County Surveyor to cover training expenses. 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 8:17 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 53, 1992 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Boyd*

1 NOT PRESENT: *Schneider*

Proposal No. 53, 1992 was retitled FISCAL ORDINANCE NO. 11, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Four Thousand Dollars (\$4,000) in the Surveyor's Corner Perpetuation Fund for purposes of the County Surveyor and reducing the unappropriated and unencumbered balance in the Surveyor's Corner Perpetuation 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 (j) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Surveyor to obtain training in Global Positioning System Surveying.

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

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SURVEYOR</u>	<u>SURVEYOR'S CORNER PERPETUATION FUND</u>
3. Other Services and Charges	\$4,000
TOTAL INCREASE	\$4,000

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

	<u>SURVEYOR'S CORNER PERPETUATION FUND</u>
Unappropriated and Unencumbered	
Surveyor's Corner Perpetuation Fund	\$4,000
TOTAL REDUCTION	\$4,000

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

PROPOSAL NO. 55, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 55, 1992 on February 19, 1992. The proposal appropriates \$117,000 for the Presiding Judge of the Municipal Court to continue the Treatment Alternatives to Street Crimes program funded by a state grant. By a 6-0

vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 55, 1992 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Curry, Dowden*

1 NOT PRESENT: *Schneider*

Proposal No. 55, 1992 was retitled FISCAL ORDINANCE NO. 12, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Seventeen Thousand Dollars (\$117,000) in the State and Federal Grants Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (cc) and (b) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to continue the Court's Treatment Alternatives to Street Crimes Grant.

SECTION 2. The sum of One Hundred Seventeen Thousand Dollars (\$117,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$ 65,721
3. Other Services and Charges	39,121
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>12,158</u>
TOTAL INCREASE	\$117,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$117,000</u>
TOTAL REDUCTION	\$117,000

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 24, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 24, 1992 on February 11, 1992. The proposal

February 24, 1992

approves a change in ownership of the cable television franchise now owned by American Cablevision of Indianapolis. Councillor Rhodes explained that under the present structuring of American Cablevision of Indianapolis 82% is owned by Time Warner Inc. (TWI) and 18% by public shareholders. Under the new structure TWI would own 87.5% as General Partners and two Japanese companies, Toshiba Corporation and C. Itoh & Company Ltd., would own 12.5% as Limited Partners. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Rhodes stated that Councillor Curry had asked the following two questions in Committee: 1) if there will be a substantial amount of cash infused into the surviving partnership and will that investment increase from a balance sheet viewpoint, and 2) if the equity of the new partnership exceeded the equity of the old partnership. That information was not available at the Committee meeting, so Councillor Rhodes asked Jay Satterfield, President, American Cablevision of Indianapolis, Inc., to answer those two questions at this time.

Mr. Satterfield stated that there will be no increase in asset value. The assets will be kept at book value other than the 18% that has been publicly held--that will be recorded at the purchase value.

Councillor Gilmer stated that the City would not consider having 12.5% of the City vehicles made by Japanese, but this proposal permits the Japanese to have a 12.5% share of the City's communication. He urged the Councillors to vote against this proposal.

Councillor Black said that he will be voting against this proposal because of the preservation of American jobs and the potential increase in rates.

Councillor Franklin said that he understood it is a world market, but he does not believe that the United States has fair trade with Japan at present.

Councillor Jimison asked if the change of ownership will occur without the City of Indianapolis' approval. Mr. Satterfield replied that 60% of the franchises have to be transferred before the deal can be consummated.

Councillor West stated that the National Association of Television Officers Association (NATOA) is holding its regional meeting in Washington on March 5-6, 1992. He suggested that it would be beneficial to discuss this matter further after finding out what is occurring in other cities about this whole dilemma.

Councillor Boyd stated that he is persuaded by Councillor West's comments and moved to table Proposal 24, 1992, as amended, until the March 16, 1992 Council meeting.

Councillor Hinkle moved to amend Councillor Boyd's motion by sending the proposal back to committee for further deliberation. Councillor Boyd agreed to Councillor Hinkle's amendment.

Proposal No. 24, 1992, as amended, was returned to committee on the following roll call vote; viz:

19 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Dowden, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Smith, West
8 NAYS: Black, Franklin, Gilmer, Howard, Jimison, Rhodes, Short, Williams

1 NOT VOTING: Curry
1 NOT PRESENT: Schneider

President SerVaas stated that there has been a big market all over the country with cable franchises and the price is bid up to a point where the buyer has to raise the cable rates to pay off the franchise. Time Warner has a very big debt and, in his opinion, is trying to reduce its debt by selling off some of its assets. It just so happens that its buyer is not very popular.

PROPOSAL NO. 43, 1992. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 43, 1992 on February 18, 1992. The proposal amends the Sign Regulations of Marion County by revising and relocating the definition of "integrated center". By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Williams, for adoption. Proposal No. 43, 1992 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith
0 NAYS:
5 NOT VOTING: Dowden, Howard, Short, West, Williams
1 NOT PRESENT: Schneider

Proposal No. 43, 1992 was retitled GENERAL ORDINANCE NO. 3, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1992
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 91-AO-2

A GENERAL ORDINANCE to amend the Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County which ordinance includes the Sign Regulations for Marion County, and fixing a time when the same shall take effect.

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

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

A. That Section 14.02, be amended by deleting the stricken-through language and inserting the underscored language as follows:

6. Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish.
7. Exit roadway means any public road or turning roadway including deceleration lanes, by which traffic may leave the main-traveled way of an interstate highway, freeway or expressway to reach the general road system within the county, irrespective of whether traffic may also enter the main-traveled way by such road or turning roadway.
8. Expressway means a thoroughfare designated as an "expressway" on the Official Thoroughfare Plan for Marion County, Indiana ~~as adopted by Resolution 69-CPS-R-5 of the Metropolitan Development Commission of Marion County.~~
9. Extension means any vertical or horizontal embellishments to a 10.5 foot by 36 foot or 14 foot by 48 foot advertising sign designed as a part of and integrally incorporated into the announcement, declaration, device, demonstration or insignia used as a part of an advertising sign. An extension

shall have a maximum vertical dimension of four (4) feet above the top of a sign, a maximum horizontal dimension of one (1) foot to the sides of the sign and a maximum horizontal dimension of one (1) foot to the bottom of the sign.

10. Freeway means a thoroughfare designated as a "freeway" on the Official Thoroughfare Plan for Marion County, Indiana, ~~as adopted by Resolution 69-CPS-R-5 of the Metropolitan Development Commission of Marion County.~~
11. Ground sign means a sign which is supported by one or more uprights or braces in the ground with sign surface extending downward to or near ground level.
12. Highway means an interstate highway, freeway or expressway as herein defined.
13. Incidental sign: a name plate or sign relating the lot or use thereof and designating accessory uses, direction, identification, information, or real estate for sale, rent, or lease.
14. Informational site means an area or site established and maintained within or adjacent to the right-of-way of a highway on the interstate system by or under the supervision or control of a state highway department, wherein panels for the display of advertising and informational signs may be erected and maintained.
15. Integrated center means an area of development (commercial, industrial or any combination of commercial, industrial and residential uses) of one or more lots, comprised of:
 - a. two or more individual, nonrelated and separately operated uses in one building sharing common site facilities; or
 - b. one or more buildings containing non-related and separately operated uses occupying a common site, which utilize one or a combination of common site facilities, such as driveway entrances, parking areas, driving lanes, signs, maintenance and similar common services; or
 - c. one or more buildings containing non-related and separately operated uses occupying individual sites, which are interrelated by the utilization of one or a combination of common facilities, such as driveway entrances, public or private street network, parking areas, maintenance and other services.
16. Interstate highway means a federal aid interstate highway as constructed and designated by the Indiana State Highway Department with the prefix "I", as, for example, "I-465".
17. Legible means capable of being read without visual aid by a person of normal visual acuity.
18. Lot: A piece, parcel, plot or tract of land designated by its owner or developer to be used, developed or built upon as a unit under single ownership or control and occupied or intended for occupancy by a use permitted in the zoning ordinances for Marion County, Indiana, including one (1) or more main buildings, accessory uses thereto and the required yards as provided in the zoning ordinances of Marion County, Indiana, and may consist of:
 - a. A single lot of record.
 - b. A portion of a lot of record.
 - c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.A lot may or may not coincide with a lot of record.

For the purpose of this definition, the ownership of a lot shall be defined to include:

 - a. The person(s) who holds either fee simple title to the property or is a life tenant as disclosed in the records of the township assessor;
 - b. A contract vendee;
 - c. A long-term lessee (but only if the lease is recorded among the records of the County Recorder and has at least twenty-five (25) years remaining before its expiration at the time of applying for a permit).

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A lot may be divided into two (2) or more lots, provided that all resulting lots and all buildings thereon shall comply with all of the applicable provisions of the zoning ordinances of Marion County. If such a lot, however, is occupied by a nonconforming building, such lot may be subdivided provided such subdivision does not create a new noncompliance or increase the degree of noncompliance of such building.

- ~~18~~ 19. Lot of record: A lot which is part of a subdivision or a lot or a parcel described by metes and bounds, the description of which has been so recorded in the office of the recorder of Marion County, Indiana.
- ~~19~~ 20. Lot size shall mean the area of a lot that is available for use or development and does not include any area lying within the right-of-way of any public or private street ~~or~~ easement for access or egress into the subject lot or adjoining lots.
- ~~20~~ 21. Maintain means to allow to exist.
- ~~21~~ 22. Main-traveled way means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. The term "main traveled way" does not include such facilities as frontage roads, turning roadways, or parking areas.
- ~~22~~ 23. Pole sign: a sign which is supported by one or more uprights or braces in the ground with all of the sign surface attached to or supported by any such upright or brace located at a minimum of nine (9) feet above the ground level.
- ~~23~~ 24. Projecting sign: a sign attached only to a building and projecting outward therefrom more than eighteen (18) inches, with a maximum permitted horizontal dimension of eight (8) feet from the building at the greatest distance.
- ~~24~~ 25. Protected areas means all areas inside the boundaries of Marion County which are adjacent to and within six hundred and sixty (660) feet of the edge of the right-of-way of all highways within the county. Where a highway terminates at a county boundary which is not perpendicular or normal to the centerline of the highway, "protected areas" also means all areas inside the boundary of such county which are within six hundred and sixty (660) feet of the edge of the right-of-way of the highway in the adjoining county.
- ~~25~~ 26. Pump-island sign: a sign either affixed directly to a gasoline pump or otherwise attached to the pump or pump island.
- ~~26~~ 27. Roof sign: a sign erected, constructed, and maintained upon the roof of a building.
- ~~27~~ 28. Temporary sign: any sign or sign structure not permanently affixed or installed and intended for short-term use.
- ~~28~~ 29. Trade name shall include brand name, trademark, distinctive symbol, or other similar device or thing used to identify particular products or services.
- ~~29~~ 30. Traveled way means the portion of a roadway for the movement of vehicles, exclusive of shoulders.
- ~~30~~ 31. Turning roadway means a connecting roadway for traffic turning between two intersection legs of an interchange, between two interstate highways.
- ~~31~~ 32. Scenic area means any public park or area of particular scenic beauty or historical significance designated by or pursuant to local or state law as a scenic area.
- ~~32~~ 33. Sign shall mean and include any outdoor announcement, declaration, device, demonstration, or insignia used for direction, information, identification, or to advertise or promote any business, product, activity, services, or any interests, but shall not include any traffic control, informational or directional sign placed within the right-of-way of any highway or public road by a governmental agency or unit having authority to do so under any law.
- ~~33~~ 34. Sign encroachment: the placement of a sign or sign structure or the extension of any part of a sign or sign structure into a required yard or public right-of-way in violation of the requirements of the zoning ordinances.

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- 34 35. Sign facing: the surface of the sign upon, against, or through which the message of the sign is exhibited.
- 35 36. Sign structure: the supports, uprights, bracing, and framework for the sign. In the case of a sign structure consisting of two or more sides, where the angle formed between any of the sides (or the projection thereof) exceeds fifteen (15) degrees, each side shall be considered a separate sign structure.
- 36 37. Sign surface: the entire area within a single, continuous perimeter enclosing all elements of the sign which form an integral part of the display. For business signs, open spaces not in excess of twelve (12) inches between the elements of the sign shall not be included in the calculation of sign surface area; provided, however, the total open space between all elements shall not exceed twenty-five (25) percent of the total area enclosed by the continuous perimeter line.
- 37 38. Visible means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.
- 38 39. Wall sign: a sign which is affixed to an exterior wall of a building, but which does not constitute a projecting sign, as defined herein.
- 39 40. Window sign: a sign affixed to a window, being either temporary or permanent.
- 40 41. Street: every public way for motor vehicular traffic, whether designated as a street, road, alley, highway or any other term commonly applied to a public way for passage of motor vehicles.

B. That Section 14.06-3(3), be amended by deleting the stricken-through language as follows:

- (3) Signs for integrated centers and industrial parks - in addition to the business signages permitted in (1) above, integrated centers ~~comprising a number of individual, non-related and separately operated uses in one building and sharing common site facilities; or, one or more buildings containing non-related and separately operated uses, occupying a site under one ownership, and utilizing one or a combination of common site facilities such as driveway entrances, parking areas, maintenance, and similar common services~~ and industrial parks may have identification signs as specified below:
- i. Number of integrated center signs - one (1) sign oriented to the principal frontage of the site. In the case of a site located with frontage on two (2) streets shown as primary or secondary thoroughfares in the Official Thoroughfare Plan, one (1) additional sign may be oriented to the secondary frontage.
 - ii. Content - such sign ~~or~~ signs shall be limited to the name of the center ~~of industrial park~~, trademark, product, activity or service of each business, and directional guide to the location of each tenant in the integrated center ~~or park~~.
 - iii. The maximum surface area of the signs shall not exceed one (1) square foot for each lineal foot of frontage of the lot, and shall not exceed a maximum of five hundred (500) square feet for the principal sign and three hundred (300) square feet for the secondary sign.

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provision of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

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

Councillor Borst asked for consent to hear Proposal No. 77, 1992 at this time. Consent was given.

PROPOSAL NO. 77, 1992. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 77, 1992 on February 18, 1992. The proposal amends the Dwelling Districts Zoning Ordinance of Marion County to provide for several minor-technical amendments. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by

Councillor Shambaugh, for adoption. Proposal No. 77, 1992 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Boyd, Curry, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith*

0 NAYS:

7 NOT VOTING: *Black, Brents, Coughenour, Dowden, Howard, West, Williams*

1 NOT PRESENT: *Schneider*

Proposal No. 77, 1992 was retitled GENERAL ORDINANCE NO. 4, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1992

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 92-AO-1

A GENERAL ORDINANCE to amend the Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County which ordinance includes the Dwelling Districts Zoning Ordinance, and fixing a time when the same shall take effect.

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

SECTION 1. The Dwelling Districts Zoning Ordinance of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 89-AO-2, pursuant to IC 36-7-4, as amended, be further amended by inserting the underscored text and deleting the stricken-through text as follows:

Sec. 2.00 Central Business Zoning District regulations.

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance. Signs, however, are regulated by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
2. A lot may be divided into two (2) or more lots, provided that all resulting lots and all buildings thereon shall comply with all of the applicable provisions of the Dwelling Districts Zoning Ordinance of Marion County. If such a lot, however, is occupied by a nonconforming building, such lot may be subdivided provided such subdivision does not create a new noncompliance or increase the degree of noncompliance of such building.
3. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance with the exception of signs, which are regulated by the Sign Regulations of Marion County, 71-AO-4, as amended, and of the following provisions:
 - a. Restoration of Legally Established Nonconforming Uses, Structures, Buildings. Legally established nonconforming uses and structures or buildings may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other disaster provided the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building, structure or facilities affected. Except, however, all land within any Flood Control District shall be bound by the forty percent (40%) limitation of Section 2.00, B.2. of the Flood Control Districts Zoning Ordinance of Marion County, Indiana, (71-AO-3, as amended).
 - b. Discontinuation of Nonconformity. The lawful nonconforming use or occupancy of any lot, in a Dwelling District, existing at the time of the effective date of this ordinance, may be continued as a nonconforming use, but if such nonconforming use is discontinued for one (1)

year, any future use or occupancy of said land shall be in conformity with the provisions of this ordinance.

c. Legally Established Nonconforming Uses - Public Schools. Any legally established nonconforming use public elementary, middle, junior high or high school (including any structures, facilities and parking areas accessory thereto) may be converted, enlarged, extended, reconstructed or relocated for such public school use on the same lot or parcel as it existed on August 8, 1966, provided such school building, structure, facilities and parking area shall conform to the minimum yard and setback requirements of the applicable DWELLING DISTRICT.

d. Side and rear yard exceptions.

(1) The minimum side and rear yard setback requirements of the D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8, (for a lot containing single or two- dwelling units) Zoning Districts shall be subject to the following exceptions:

i. Legally established, detached, accessory garages may be reconstructed on an existing foundation even though such reconstruction would not comply with required side or rear yards.

ii. The primary building may be enlarged or extended along a legally established nonconforming side yard between the established front setback line and the established rear setback line of the primary building provided that the lineal footage of such enlargement or extension does not exceed fifty percent (50%) of the lineal footage of the primary building along that side setback line.

(2) The minimum side and rear yard setback requirements of all Dwelling Zoning Districts shall be subject to the following exception:

Eave or cornice overhangs, bay windows, chimneys and other similar appurtenant structural projections from a primary or accessory building may encroach into a required side or rear yard no more than two (2) feet.

e. Lot area, lot width exception. Any lot recorded or any platted lot recorded prior to the adoption of this ordinance, having less than the minimum lot area or minimum lot width required by the applicable DWELLING DISTRICT regulations of this ordinance for a single-family dwelling, shall be deemed an exception to such minimum lot area and lot width requirement, and a single-family dwelling may be constructed hereon provided all other requirements of this ordinance, including minimum yard and setback requirements, shall be maintained.

~~f. D-A District exceptions~~

~~(1) Any single family dwelling on any lot in a D-A District, developed prior to the adoption of this ordinance under the applicable A-1 or A-2 Agricultural District standards of the Marion County Master Plan Permanent Zoning Ordinance, may be converted, enlarged, extended, reconstructed or relocated if such activity is in accordance with the standards previously applicable thereto as said lot was previously zoned. Except, however, the previously applicable size limitations for garages and other accessory use standards shall not be applicable, in which case the standards of this ordinance shall apply.~~

~~(2) For any lot or platted lot in the D-A District recorded prior to the adoption of this ordinance, having less than the minimum lot area or minimum lot width required by the D-A District regulations of this ordinance, the following development standards may be modified as set forth below:~~

~~i. minimum lot width at setback: 80 feet.~~

~~ii. minimum side yard setback: aggregate 24 feet, provided no side yard shall be less than twelve (12) feet.~~

~~iii. minimum rear yard setback: fifteen (15) feet.~~

~~iv. minimum street frontage: 80 feet on a public street right-of-way.~~

- g. f. D-6 and D-6II District single family exception. In the D-6 and D-6II District, a single or two-family dwelling, including accessory structures, may be constructed, erected, enlarged, extended, or reconstructed on any platted lot recorded prior to the adoption of this ordinance which was specifically platted for single family dwelling purposes. Such development shall be in accordance with the approved plat, any restrictions thereof, and any commitments resulting from the rezoning of such lot.
4. The front setback and minimum front yard requirements of all Dwelling Zoning Districts shall be subject to the following exception for all land within the Town of Meridian Hills, Indiana:
- The required front setback and minimum yard requirements applicable to all land within the Town of Meridian Hills, Indiana, however presently zoned, shall be not less than the standards of the Class R-1, R-2, and R-3 area Districts, respectively, previously applicable thereto as said land was formerly zoned, in accordance with the Meridian Hills Zone Map and section 12 of the Zoning Ordinance of the Town of Meridian Hills, Indiana, General Ordinance No. 1, 1946, prior to the effective date of the comprehensive Dwelling Districts Zoning Ordinance of Marion County, Indiana, Ordinance 66-AO-2, which rezoned and reclassified said land. (Said Zoning Ordinance of the Town of Meridian Hills, Indiana, section 12 and Meridian Hills Zone Map, adopted by the Marion County Council March 28, 1957, as a part of Marion County Council Ordinance No. 8-1957, are hereby incorporated herein by reference).
5. Secondary Means of Escape.
- Any secondary means of escape which includes, but is not limited to, fire escapes or similar emergency accesses, shall be located on the rear or side facades of the building or structure. In the case of a building or structure located on a corner lot, the secondary means of escape shall not be located on the facade of any building or structure which has frontage along a public or private street.
6. Side Yard Setback - Zero Lot Line Option.
- The minimum side yard setback requirements of the D-S, D-1, D-2, D-3, D-4, D-5, and D-5II Zoning Districts shall be subject to the following exceptions:
- Any plat of a subdivision submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce the minimum side yard requirement for one side yard of each lot to zero (0) feet provided that:
- A minimum distance of ten (10) feet shall be required and maintained between all buildings on adjacent lots; and,
 - No windows or doors shall be provided or maintained on that portion of the structure which reduces the required side yard by use of this exception; and,
 - The aggregate side yard(s) is provided on the lot according to the applicable dwelling district regulations; and,
 - An easement, providing for the continual maintenance of that portion of the structure which reduces the required side yard by use of this exception, is provided, recorded and maintained.
7. Exceptions to dwelling district development standards for the development of Cluster Subdivisions.
- In any plat of a subdivision recorded after January 1, 1990 in the D-S, D-1, D-2, D-3 and D-4 Zoning Districts the following exceptions shall apply.
- Any subdivision, the plat of which is submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana may be developed as a cluster subdivision in accordance with the following:
- Purpose. Cluster subdivisions are intended to allow greater flexibility in design and development of subdivisions, in order to produce innovative residential environments, provide for more efficient use of land, protect topographical features, and permit common area and open space. To accomplish this purpose, the following regulations and exceptions shall apply only to cluster subdivisions.

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- b. Exceptions to dwelling district development standards. Exceptions to the development standards relating to the subdivision's lot size, shape and dimensions may be permitted for individual lots within a cluster subdivision, as follows:
- (1) Project Area (Minimum Size of Subdivision). There shall be a minimum of five (5) acres required for the development of a cluster subdivision. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed by the owners of the entire tract. The tract shall be developed as a unit and in the manner approved.
 - (2) Project Density. The overall maximum density of the proposed cluster subdivision shall remain the same as that permitted by developing the same site area into developable lots in full compliance with the applicable underlying dwelling district regulations and The Subdivision Control Ordinance of Marion County, Indiana.
 - (3) Sewers. Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in any cluster subdivision with a minimum lot area of less than 24,000 sq. ft.
 - (4) Area, Width, Setback, and Open Space for Individual Lots. Individual lots in a cluster subdivision are exempt from the following development standards of the applicable dwelling district:
 - i. minimum lot area.
 - ii. minimum lot width.
 - iii. minimum lot width at setback.
 - iv. minimum side and rear yard setback regulations. Minimum side and rear yard setback regulations may be modified by the following:
 - (a) Setback from any subdivision boundary property lines: Twenty (20) feet.
 - (b) The minimum rear yard setback: Fifteen (15) feet.
 - (c) The minimum side yard setback shall have a minimum depth in accordance with Section 2.00, A., 6., Side Yard Setback - Zero Lot Line Option, with the exception that provision 2.00, A., 6, c. shall not apply when utilizing the Cluster Subdivision Exception.

Sec. 2.01 D-A Dwelling Agriculture District Regulations

B. D-A Development Standards

1. Use.

- a. No operations or activities for pecuniary gain which package products for final market distribution or which mechanically, electrically or chemically transform raw materials into new products, other than cultivation or animal husbandry, shall be permitted.
- b. The use of lakes and ponds shall not include commercial or recreational activities which are open to the general public for a fee.

2. Minimum lot area: Three (3) acres, unless subject to Section 2.01, C, D-A District Exceptions.

3. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line: 250 feet, provided, however, a minimum lot width of 125 feet shall be maintained between the right-of-way line and the front setback line established by existing structures on the lot or structures proposed for the lot. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
- b. Minimum street frontage: Each lot shall have at least 125 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.

4. Minimum setback lines and yards.

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- a. Minimum setback line and front yard: Front yards having a minimum depth in accordance the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
 - b. Minimum rear yard: 75 feet. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
 - c. Minimum side yard: Aggregate: 75 feet Provided, however, no side yard shall be less than 30 feet. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
5. Minimum open space: 85 percent of the lot area. However, in the case of greenhouses and plant nurseries, the minimum open space shall be fifty (50) percent of the lot area. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
6. Maximum height.
- a. Primary building (single-family dwelling): 35 feet. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
 - b. Accessory buildings to a single-family dwelling: 20 feet. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
 - c. Accessory buildings essential to an agricultural enterprise: unlimited. These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.
7. Minimum main floor area. Minimum main floor area of the primary building (single-family dwelling), exclusive of garage, carports, and open porches:
- * One-story building: 1,200 sq. ft.
 - * Building higher than one story: 800 sq. ft., provided the total floor area shall be at least 1,200 sq.ft.

These provisions may be subject to the exceptions of Section 2.01, C, D-A District Exceptions.

8. Off-street parking and public streets. Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

C. D-A District exceptions.

1. Existing dwelling on a lot developed prior to December 20, 1989. Any single-family dwelling on any lot in the D-A District, developed prior to December 20, 1989 under the applicable A-1 or A-2 Agricultural District standards of the Marion County Master Plan Permanent 1989 Zoning Ordinance, may be converted, enlarged, extended, reconstructed or relocated if such activity is carried out in accordance with the previously applicable standards for the lot.

However, the previously applicable size limitations for garages and other accessory use standards found in the A-1 or A-2 Districts shall not apply, but rather the standards of the D-A District of this ordinance shall apply.

2. Vacant lot recorded prior to December 20, 1989. For any lot or platted lot in the D-A District recorded prior to December 20, 1989, having less than the minimum lot area or minimum lot width required by the D-A District regulations of this ordinance, the following development standards may be applied to the lot, rather than those listed for the District:
- a. Minimum lot width at the required setback line: eighty (80) feet.
 - b. Minimum street frontage: eighty (80) feet on a public street right-of-way.
 - c. Minimum rear yard: fifteen (15) feet.
 - d. Minimum side yard: aggregate - twenty-four (24) feet, provided no side yard shall be less than twelve (12) feet.

3. Exception to the accessory use regulations of Section 2.19 Relative to agricultural enterprises. For those lots on which an agricultural enterprise is being conducted, the accessory use requirements of Section 2.19, B, 1, a, and c shall not apply.

Section 2.02 D-S Dwelling Suburban District Regulations

B. D-S Development standards.

2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line: 150 feet. Provided, however: Any plat of a subdivision consisting of 5 or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to 20 percent of the total number of lots within said plat, to the extent of up to 20 percent below such 150-foot requirement.
- b. Minimum street frontage: Each lot shall have at least 75 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.03 D-1 Dwelling District One Regulations

B. D-1 Development standards.

2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line: 90 feet. Provided, however: Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 90-foot requirement.
- b. Minimum street frontage: Each lot shall have at least 45 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.04 D-2 Dwelling District Two Regulations

B. D-2 Development standards.

2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line:

- * Single-family Dwelling: 80 feet.
- * Two-family Dwelling: 120 feet (on each street).

Provided, however: Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 80-and 120-foot requirements.

- b. Minimum street frontage: Each lot shall have at least 40 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.05 D-3 Dwelling District Three Regulations

B. D-3 Development standards.

2. Minimum lot width.

- a. Minimum lot width at the required setback line:

- * Single-family Dwelling: 70 feet.
- * Two-family Dwelling: 105 feet (on each street).

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Provided, however: Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 70-and 105-foot requirements.

- b. Minimum street frontage: Each lot shall have at least 35 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.06 D-4 Dwelling District Four Regulations

- B. D-4 Development standards.

- 2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line:

- * Single-family Dwelling: 60 feet
- * Two-family Dwelling: 90 feet (on each street)

Provided, however: Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of the ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 60- and 90- foot requirements.

- b. Minimum street frontage: Each lot shall have at least 30 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.07 D-5 Dwelling District Five Regulations

- B. D-5 Development standards.

- 2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line:

- * Single-family Dwelling: 50 feet.
- * Two-family Dwelling: 90 feet (on each street).

- b. Minimum street frontage: Each lot shall have at least 25 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.08 D-5III Dwelling District Five-Two Regulations

- B. D-5II Development standards.

- 2. Minimum lot width and street frontage.

- a. Minimum lot width at the required setback line:

- * Single-family Dwelling: 40 feet.
- * Two-family Dwelling: 80 feet (on each street).

- b. Minimum street frontage: Each lot shall have at least 25 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.12 D-8 Dwelling District Eight Regulations

- B. D-8 Development standards - single and two-family.

- 1. Minimum lot area: There shall be no required lot area other than the land area necessary to provide for the development requirements of paragraphs 2, 3, and § 4 and 6 of this sub-section B.

Provided, however: Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. Minimum lot width and frontage.
 - a. Minimum lot width at the required setback line: 30 feet.
 - b. Minimum lot street frontage: Each lot shall have at least thirty (30) feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.
3. Minimum setback lines and yards.
 - a. Minimum setback lines and front yard: Front yards having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided along all public street right-of-way lines.
 - b. Minimum rear yard: Fifteen (15) feet.
 - c. Minimum side yards:
Aggregate: ten (10) feet. No side yard, however, shall be less than four (4) feet.
4. Minimum open space: ~~Sixty-five (65)~~ Fifty-five (55) percent of the lot area.

Section 2.16 D-12 Dwelling District Twelve Regulations

- B. D-12 Development standards.
2. Minimum lot width and street frontage.
 - a. Minimum lot width at the setback line: 70 feet
 - b. Minimum street frontage: Each lot shall have at least 35 feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.

Section 2.19 Accessory Uses

- B. Accessory use ~~requirements~~ development standards.
2. Appurtenances.
 - a. Such appurtenant features as walks, drainage installations, mailboxes, lamp posts, bird baths, air conditioning units and structures of similar and comparable nature, shall be permitted on any lot.

Provided, however, the front yard of any lot may contain only enough paving, gravel or similar material sufficient for reasonable access to and from the off-street parking area. The remaining front yard shall be landscaped in grass, shrubbery, trees or hedge, or in combination with other similar and suitable vegetative ground cover materials.
 - b. The growing of vegetables, grasses, fruits, flowers, shrubs, vines, and trees shall be permitted on any lot, provided such operations are not for profit. In the D-A Dwelling District, the growing of such items may be for profit.
 - c. Structural barriers (including, by way of example, a chain link or solid fence, architectural screen, lattice-work or masonry wall), dense landscape plantings (including, by way of example, a continuous hedge of deciduous or evergreen shrubs), shrubs and trees shall be permitted in ~~minimum required~~ front, side and rear yards provided that:
 - (1) The height of any structural barrier shall not exceed six (6) feet.
Provided, however:
 - i. Any structural barrier in the required front yard shall not exceed forty-two (42) inches in height.
 - ii. The measurement of fence height shall be taken from the ground level to the top of the fence, exclusive of fence posts (See Section 2.25, Diagram G).

- iii. Grade mounding, inconsistent with the ground level of the land surrounding the fence, which increases the elevation of the fence, will be included in the measurement of the fence height (See Section 2.25, Diagram H).
 - iv. Fence posts may exceed the maximum height by one (1) foot (See Section 2.25, Diagrams G, H, or I).
 - v. The fence itself may exceed the maximum height by an amount equal to an accompanying drop in topography along the linear run of the fence at that portion of the lot, and shall only exceed the maximum height at that location. In no case, however, shall the fence height exceed eight feet (See Section 2.25, Diagram I).
 - vi. Barbed wire, razor wire and similar type wires shall not be permitted in any residential district as a part of a structural barrier except in the D-A District, where it may be used only in conjunction with an agricultural enterprise.
 - vii. No structural barrier shall be electrified in any manner which could provide for an electrical shock if touched except in the D-A District, where it may be used only in conjunction with an agricultural enterprise.
3. Additional requirements for swimming pools, hot tubs and similar structures. The following additional requirements shall apply to swimming pools or hot tubs:
- a. A swimming pool or hot tub shall not be located in or on any front yard or closer to any side lot line than the required minimum side yard setbacks of the Dwelling District or located closer to any rear lot line than five (5) feet.
 - b. The pool or tub area shall be enclosed by a ~~structural barrier~~ fence, which shall be adequate to prevent persons, children or animals from danger or harm, and shall be equipped with a self-closing, self-latching gate. Such structural barrier shall be a chain-link, ornamental, or solid fence or wall, and:
 - (1) if erected on grade, the fence shall be not less than five (5) feet in height; or,
 - (2) if erected on the deck of an above ground pool or hot tub, the fence or structural barrier on the deck shall be not less than thirty-six (~~30~~ 36) inches in height.
- C. Nonpermitted accessory use activities.
3. Storing of Commercial Motor Vehicles in Dwelling Districts. No commercial motor vehicle or trailer shall be parked, stored, maintained or kept on any property in a Dwelling District, (except those vehicles with a maximum load capacity of three-quarters (3/4) of a ton or less and which serve as the sole vehicular transportation of a resident of the property upon which it is parked, stored, maintained or kept) unless it is within a garage or carport which complies with all the standards and regulations of this ordinance. Commercial motor vehicles that are in the course of making normal and reasonable service calls are exempt from this provision.

Section 2.21 Special Regulations.

- C. ~~Public~~ street requirements.
1. Clear Sight Triangular Area. The following provisions shall apply to all streets, interior access drives or interior access driveways, whether public or private:
- All landscape plantings, structural barriers, shrubs, trees structures or other objects, temporary or permanent, shall permit completely unobstructed vision within a clear sight triangular area between the heights of two and one half (2 1/2) and nine (9) feet above the crown of the streets, drives, or driveways. A clear sight triangular area shall be established as one of the following, (See Section 2.25, Diagram F):
- a. On a corner lot, the clear sight triangular area is formed by the street right-of-way lines, the pavement edge of the drives or driveways and the line connecting points twenty-five (25) feet from the intersection of such street right-of-way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right-of-way lines and pavement edge lines extended; or,
 - b. On a lot adjacent to an at-grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right-of-way, the street right-of-way line or

pavement edge line, and the line connecting points twenty-five (25) feet from the intersection of such lines; and,

- c. On a lot which has a driveway, abuts an alley or which is next to a lot which has a driveway, the two clear sight triangular areas are formed by the street right-of-way line, both sides of either the alley right-of-way or of the surface edge of the driveway, and the line connecting points ten (10) feet from the intersection of the street right-of-way and driveway or alley lines extended.

2. Requirements for Public Streets.

- 1. a. All public streets shall be dedicated to the public and improved and constructed in accordance with the standards set forth in the Subdivision Control Ordinance of Marion County, Indiana and, General Ordinance No. 49 and including the Indianapolis Department of Transportation Standards for Street and Bridge Design and Construction.
- 2. b. The right-of-way of all streets within the project, which are indicated on the Official Thoroughfare Plan for Marion County, Indiana, or which have been required by zoning, variance, or platting commitment, condition, covenant or parole covenant, to be constructed to specific standards based upon their proposed functional classification shall be dedicated to the public, or the right-of-way thereof shall be reserved for the future.

~~3. All landscape plantings, structural barriers, shrubs, trees, or other objects shall permit completely unobstructed vision within a clear sight triangular area between the heights of two and one half (2 1/2) and nine (9) feet above the crown of the streets, drives, or driveways. A clear sight triangular area shall be established as one of the following:~~

~~a. On a corner lot, the clear sight triangular area is formed by the street right-of-way lines, the pavement edge of the drives or driveways and the line connecting points twenty five (25) feet from the intersection of such street right of way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right of way lines and pavement edge lines extended, or~~

~~b. On a lot adjacent to an at grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right of way, the street right of way line or pavement edge line, and the line connecting points twenty five (25) feet from the intersection of such lines.~~

~~D. REQUIREMENTS FOR ALL PRIVATE STREETS, INTERIOR ACCESS DRIVEWAYS, AND INTERIOR ACCESS DRIVES FOR ATTACHED MULTIFAMILY DWELLING PROJECTS AND MOBILE DWELLING PROJECTS AND PLANNED UNIT RESIDENTIAL DEVELOPMENTS.~~

3. Requirements for all private streets, interior access driveways and interior access drives for attached multifamily dwelling projects, mobile dwelling projects and planned unit residential developments.

- 1. a. All private streets, interior access driveways and interior access drives for attached multifamily projects and mobile dwelling projects and planned unit residential developments shall meet the minimum standards for construction, materials for use in construction, and design as specified by the "Standard Specifications", Indiana Department of Highways Transportation (8-17-1-39), the Indiana Department of Highway Transportation Supplemental Specifications, and the Indianapolis Department of Transportation (DOT) Standards for Street and Bridge Design and Construction. In the event DOT specifications conflict with the Indiana Department of Highways Transportation "Standard Specifications", the most stringent specifications shall govern.

The "Standards Specifications" of the Indiana Department of Highways Transportation is incorporated into this ordinance by reference. Two copies of the "Standard Specifications" are on file and available for public inspection in the office of the Division of Development Services.

Provided, however, that the standard specifications incorporated into this ordinance shall be modified as follows:

- a. (1) Curbing shall not be required in the development of private street, private access driveways and private interior access drives for attached multifamily projects.

- b. (2) Private interior streets, private interior access drives and private interior access driveways for attached multifamily projects, mobile dwelling projects and planned unit residential developments, shall have a minimum width, including gutters, and, if required, curbing, of:
 - One-way, no parking - twelve (12) feet.
 - One-way, parking on one side of the street only - twenty (20) feet.
 - Two-way, no parking - twenty (20) feet.
 - Two-way, parking on one side only - twenty-seven (27) feet.
 - Two-way, parking on both sides of the street - thirty-six (36) feet.
- 2. b. Private street, private interior access drives and private interior access driveways shall be privately maintained (not by governmental agencies) in good condition and free of chuckholes, standing water, weeds, dirt, trash and debris.
- ~~3. All landscape plantings, structural barriers, shrubs, trees, or other objects shall permit completely unobstructed vision within a clear sight triangular area between the heights of two and one half (2 1/2) and nine (9) feet above the crown of the streets, drives, or driveways. A clear sight triangular area shall be established as one of the following:~~
 - ~~a. On a corner lot, the clear sight triangular area is formed by the street right of way lines, the pavement edge of the drives or driveways and the line connecting points twenty five (25) feet from the intersection of such street right of way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right of way lines and pavement edge lines extended, or~~
 - ~~b. On a lot adjacent to an at grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right of way, the street right of way line or pavement edge line, and the line connecting points twenty five (25) feet from the intersection of such lines.~~
- 4. c. The owner or project management, homeowners' association or other similar organization shall maintain all sidewalks, pedestrian ways, private streets, interior access drives, interior access driveways and parking areas in good repair and reasonably free of chuckholes, standing water, mud, ice and snow.

D. Reserved.

E. Off-street parking requirements.

F. Screening, Landscaping, Lighting and Grounds Maintenance.

2. Landscaping:

- a. All required perimeter yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation, such as, trees, shrubs, grasses or ground cover materials, planted or transplanted and maintained, or preserved as existing natural vegetation areas (e.g. woods or thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall be limited to only twenty percent (20%) of the area of the required yard in which it is used.
- b. Within the perimeter yards, there shall be at least one tree planted or maintained for every ~~twenty (20)~~ thirty (30) feet of total linear distance along all perimeter yard property lines. Required trees may be grouped together in the perimeter yard, however, in no case shall spacing between said trees exceed sixty (60) feet on center. (Refer to Diagram E).

Section 2.25 Construction of Language and Definitions

B. Definitions.

The words in the text or illustrations of this ordinance shall be interpreted in accordance with the definitions set forth below. The illustrations and diagrams in this section provide graphic representation of the concept of a definition; the illustration or diagram is not to be construed or interpreted as a definition itself.

- 1. Abut. To physically touch or border upon; or to share a common property line.

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2. Access. The way by which vehicles shall have ingress to and egress from a land parcel or property and either the street fronting along said property or parcel or an abutting alley.

That Sec. 2.25 be amended by inserting Diagrams F, G, H and I as attached.

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

PROPOSAL NOS. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68 and 69, 1992. The President stated that the 14 transportation proposals will be voted on together. PROPOSAL NO. 56, 1992. The proposal amends the Code by authorizing intersection controls in the Cold Spring Estates subdivision (District 16). PROPOSAL NO. 57, 1992. The proposal amends the Code by authorizing intersection controls in the Alcove at Greenbriar subdivision (District 2). PROPOSAL NO. 58, 1992. The proposal amends the Code by authorizing intersection controls in the Brackenwood subdivision (District 2). PROPOSAL NO. 59, 1992. The proposal amends the Code by authorizing intersection controls in the Timber Mill subdivision (District 2). PROPOSAL NO. 60, 1992. The proposal amends the Code by authorizing intersection controls in the Iron Springs subdivision (District 2). PROPOSAL NO. 61, 1992. The proposal amends the Code by authorizing a change in intersection controls in an area bounded by 30th Street, Mussman Drive, 28th Street, and Georgetown Road (District 8). PROPOSAL NO. 62, 1992. The proposal amends the Code by authorizing a traffic signal at the intersection of Zionsville Road and 62nd Street (District 1). PROPOSAL NO. 63, 1992. The proposal amends the Code by authorizing a traffic signal at the intersection of Hague Road and 86th Street (District 4). PROPOSAL NO. 64, 1992. The proposal amends the Code by authorizing parking restrictions on 39th Place between Breen Drive and Post Road (District 14). PROPOSAL NO. 65, 1992. The proposal amends the Code by authorizing parking restrictions on Dr. Andrew J. Brown Avenue on the east side from 17th Street to a point 106 feet north of 17th Street (District 22). PROPOSAL NO. 66, 1992. The proposal amends the Code by authorizing parking restrictions on the west side of New Jersey Street from Court Street to a point 86 feet south of Court Street (Districts 16 and 22). PROPOSAL NO. 67, 1992. The proposal amends the Code by authorizing a change in the speed limit on a segment of Kentucky Avenue between I-465 and Raymond Street (District 19). PROPOSAL NO. 68, 1992. The proposal amends the Code by authorizing the deletion of rush hour restrictions on a segment of Washington Boulevard (Districts 6, 22). PROPOSAL NO. 69, 1992. The proposal amends the Code by correcting Section 1 of G.O. 61, 1991 (District 6). Councillor Gilmer reported that the Transportation Committee heard the proposals on February 12, 1992. By a 8-0 vote, the Committee reported Proposal Nos. 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68 and 69, 1992 to the Council with the recommendation that they do pass. By a 7-0 vote, the Committee reported Proposal No. 62, 1992 to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68 and 69, 1992 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Brents, Howard*

1 NOT PRESENT: *Schneider*

Proposal No. 56, 1992 was retitled GENERAL ORDINANCE NO. 5, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1992

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>
17, Pg. 3	Cold Springs Rd. & Grenada Ci.	Cold Springs Rd.	Stop
17, Pg. 5	Grenada Ci. & Grenada Ci. N.	Grenada Ci.	Stop

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

Proposal No. 57, 1992 was retitled GENERAL ORDINANCE NO. 6, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1992

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>
3, Pg. 4	Ditch Rd. & Viburnum Dr.	Ditch Rd.	Stop

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

Proposal No. 58, 1992 was retitled GENERAL ORDINANCE NO. 7, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1992

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>
3, Pg. 1	Brackenwood Blvd., Brackenwood Ci. N. & Brackenwood Ci. S.	Brackenwood Ci. N. & Brackenwood Ci. S.	Stop

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3, Pg. 1	Brackenwood Blvd. & Hoover Rd.	Hoover Rd.	Stop
3, Pg. 1	Brackenwood Ci. N. & Brackenwood Dr.	Brackenwood Ci. N.	Stop
10, Pg. 1	Brackenwood Dr. & 73rd St.	73rd St.	Stop

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

Proposal No. 59, 1992 was retitled GENERAL ORDINANCE NO. 8, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1992

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>
3, Pg. 6	Hoover Rd. & Timber Mill Le.	Hoover Rd.	Stop

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

Proposal No. 60, 1992 was retitled GENERAL ORDINANCE NO. 9, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 9, 1992

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>
4, Pg. 4	Meadowbrook Dr. & 82nd St.	Meadowbrook Dr.	Stop

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

Proposal No. 61, 1992 was retitled GENERAL ORDINANCE NO. 10, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1992

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:

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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>
16, Pg. 3	Delores Dr. & 28th St.	Delores Dr.	Yield
16, Pg. 6	Hollister Dr. & Mildred Dr.	Hollister Dr.	Yield
16, Pg. 6	Hollister Dr. & Mussman Dr.	Hollister Dr.	Yield

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>
16, Pg. 3	Delores Dr. & Hollister Dr.	Delores Dr.	Stop
16, Pg. 3	Delores Dr. & Maren Dr.	Delores Dr.	Stop
16, Pg. 3	Delores Dr. & 28th St.	28th St.	Stop
16, Pg. 6	Hollister Dr. & Mildred Dr.	Hollister Dr.	Stop
16, Pg. 6	Hollister Dr. & Mussman Dr.	Mussman Dr.	Stop

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

Proposal No. 62, 1992 was retitled GENERAL ORDINANCE NO. 11, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1992

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. 4	Zionsville Rd. & 62nd St.	None	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>
9, Pg. 4	Zionsville Rd. & 62nd St.	None	Signal

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

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Proposal No. 63, 1992 was retitled GENERAL ORDINANCE NO. 12, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1992

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>
5, Pg. 5	Hague Rd. & 86th St.	None	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>
5, Pg. 5	Hague Rd. & 86th St.	None	Signal

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

Proposal No. 64, 1992 was retitled GENERAL ORDINANCE NO. 13, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1992

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:

39th Place, on both sides, from
Breen Drive to Post Road

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

Proposal No. 65, 1992 was retitled GENERAL ORDINANCE NO. 14, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1992

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:

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Dr. Andrew J. Brown Avenue, on the east side,
from Seventeenth Street to a point
106 feet north of Seventeenth Street

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

Proposal No. 66, 1992 was retitled GENERAL ORDINANCE NO. 15, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 15, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-268, Stopping, standing or parking prohibited at all times on designated streets.

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

SECTION 1. That 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 addition of the following, to wit:

New Jersey Street, on the west side, from
Court Street to a point 86 feet south of Court Street

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

Proposal No. 67, 1992 was retitled GENERAL ORDINANCE NO. 16, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 1992

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:

Kentucky Avenue, from Lynhurst Drive
to Raymond Street, 45 mph

Kentucky Avenue, from I-465
to Lynhurst Drive, 55 mph

SECTION 2. That 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:

Kentucky Avenue, from I-465 to a point
900 feet southwest of
Southwest Drive, 50 mph

Kentucky Avenue, from a point
900 feet southwest of
Southwest Drive to Raymond Street, 45 mph

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

Proposal No. 68, 1992 was retitled GENERAL ORDINANCE NO. 17, 1992 and reads as follows:

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CITY-COUNTY GENERAL ORDINANCE NO. 17, 1992

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; and 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. That 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.

Washington Boulevard, on the west side, from
Thirtieth Street to Fortieth Street

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 3:00 p.m. to 6:00 p.m.

Washington Boulevard, on the east side, from
Thirtieth Street to Fortieth Street

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 4:00 p.m. to 6:00 p.m.

Washington Boulevard, on the east side, from
Thirtieth Street to Fortieth Street

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

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 3:00 p.m. to 6:00 p.m.

Washington Boulevard, on the east side, from
Thirtieth Street to Thirty-eighth Street

SECTION 3. That 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:

Washington Boulevard, on the east side, from
Thirty-eighth Street to a point
187 feet north of Thirty-eighth Street

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 69, 1992 was retitled GENERAL ORDINANCE NO. 18, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 1992

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:

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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:

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

ANNOUNCEMENTS AND ADJOURNMENT

The President said that he has asked the mayor to make a correction of a figure that came out of one of his speeches which was given a great deal of publicity. The mayor has said that the city faces a \$21 million deficit in 1992. The mayor's figures were based on an error in calculations by the city controller's office. The exact figures of what was needed to take out of the cash balance was \$1.1 million in 1989, \$2.4 million in 1990, and \$1 million in 1991. The President believes that the mayor does have his back to the wall, as do the county officials, to try to hold the line without raising taxes in spite of the fact that there continues to be inflation and demand for more services and more capital expenditures. He also believes that Indianapolis is becoming noncompetitive and is losing a lot of good development to the suburbs.

Councillor Williams stated that she appreciates the President taking the time to set the record straight. She believes that all the Councillors who were here through budget time last year knew that the mayor's figures were inaccurate. She added that since the new term is just six weeks old perhaps everyone needs to slow down and reflect so this does not happen again.

Councillor Howard said that he hopes no city-county offices are being renovated and no new equipment is being purchased in light of the fact that so many city workers are being laid off.

Councillor Borst said he knew the city did not have a \$21 million deficit. With numbers it all depends on what is added in--people can make numbers do just about whatever they want.

Councillor West stated that the city's projected deficit is rising and believes that the mayor is doing the right thing in trying to find ways to cut back expenses.

Robert G. Elrod, General Counsel, read the following announcement:

This Council will hold a public hearing on Rezoning Petition No. 91-Z-174, Council Proposal No. 93, 1992, at its next regular meeting on March 16, 1992, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 0.55 acre at 3737-47 North College Avenue from D-8 to C-3 to provide for a commercial development.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:15 p.m.

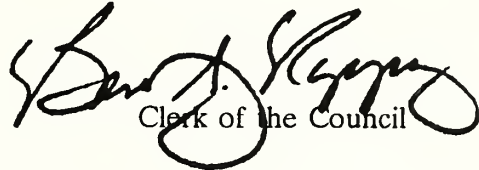
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We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 24th day of February, 1992.

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


President

ATTEST:


Clerk of the Council

(SEAL)