

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

**REGULAR MEETINGS
MONDAY, MAY 11, 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 7:10 p.m. on Monday, May 11, 1992, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Borst introduced Boy Scout Troop No. 564 from St. Barnabas in District 25.

Councillor Curry introduced former Councillor John Tinder.

Councillor Black introduced the following students who won honors at a science fair in New Orleans: Jaisun Hilliard, Toyia James, Marcus Anderson, Joyce Brewer, Jennifer Connor, Alike Goler, Nakiisa Johnson and Olon Smith. Also introduced were Andrew Crowe, President, of the local chapter of National Organization for the Professional Advancement of Black Chemists and Chemical Engineers (NOBCCChE), and Leon Jett, a representative from the Children's Museum.

Councillor O'Dell introduced racecar driver, Dominic Dobson, No. 68 with the Burns Racing Team; also present with Mr. Dobson were Leon Younger, Director, Department of Parks and Recreation (DPR), and Mark Bowell, Marketing Services, DPR.

Councillor Beadling introduced Michael Solomon, first place winner in the Oratorical Contest for the Northern District of Indiana.

Councillor Howard introduced Boy Scout Troop No. 265 and its leader Herbert Hounds.

Councillor Smith introduced former police chief Kenneth Hale.

SPECIAL ORDERS - PUBLIC HEARING

The President asked for consent to hear Proposal No. 218, 1992 at this time. Consent was given.

PROPOSAL NO. 218, 1992. The proposal is a rezoning ordinance for certain property in Washington Township, Councilmanic District 7, located at 2802 Kessler Boulevard East Drive. The proposal requests the rezoning of 3.9422 acres, being in the D-3 district, to the C-1 classification to provide for commercial development. Proposal No. 218, 1992 was certified by the Metropolitan Development Commission on April 22, 1992. On April 27, 1992, Councillor Rhodes moved to schedule Proposal No. 218, 1992 for a public hearing on May 11, 1992. This motion passed by a unanimous voice vote.

The President stated that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on May 4, 1992, and that there was no resolution of the matter.

Councillor Rhodes stated that all the Councillors have received numerous letters from both the petitioners and remonstrators. He believes that this case has implications far-reaching in the entire City and far-reaching to many other neighborhoods. He asked the Councillors to listen to both sides very carefully.

Mary Solada, attorney for the petitioner, stated that Methodist Hospital needs the property rezoned in order to build a medical office at the site. Ms. Solada said that this property is not adjacent to any homes. Glendale Mall is to the north, IPS School No. 59 is to the west, Kessler Boulevard and Rural Street bound the site on the south and east sides. This proposal completes the land use pattern of the city block which contains Glendale Mall. The planning staff of the Department of Metropolitan Development (DMD) believe that this proposed use is an acceptable alternative to the recommended zoning in the Comprehensive Plan of Marion County's ("the Plan"). That recommendation is for high density apartments. She pointed out that the neighborhood has on two occasions opposed an apartment use of this property. It is the opinion of the professional planning staff of the Department of Transportation (DOT) that traffic should not be considered a factor in this decision. With the tree preservation plan that is proposed together with the \$80,000 landscape budget, she believes that the character of Kessler Boulevard will be preserved.

William Loveday, President and Chief Executive Officer of Methodist Hospital, stated that there is a need for primary care facilities in the community within a ten-minute drive for most patients. The location is ideal and the traffic access is almost perfect. It is near a

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neighborhood, but is not in one. The design and plan use will compliment the neighborhood and he believes it will be the best long-term use for the property.

P. T. Hodgkin, M.D. stated that his five-doctor family practice group will relocate in the medical facility.

Donna Gore Olson and Maury Fischer, both neighborhood area residents, support the medical facility at this site because of its convenient location.

Dorothy Miller, President of Pike Township Resident's Association, stated that the Association has worked with Michael Wiley, petitioner and developer, and she said he honors his commitments and it is her opinion that he is one of the better neighborhood developers in Pike Township.

Mary Elder, area resident, stated that Glendale Mall has not devalued the surrounding residential property and she supports the rezoning because she believes Methodist Hospital will be a good neighbor.

Ms. Solada stated that there has been an allegation made that this property has been used as a cemetery. Her office checked the official records and determined that those records indicate that the property has never been designated as a public or as a private cemetery. She also said that Methodist Hospital will be a good neighbor and will live up to its commitments. There are many area residents in favor of this project. She asked the Councillors to consider the public spirit issues which are involved and which are necessary for a great city to thrive.

Gary Bippus, attorney for the remonstrators and also a member of the North Kessler Manor Neighborhood Association, stated that Kessler Boulevard has always been residential and he hopes that it always will be. Six hundred area residents have signed petitions opposing this rezoning. Methodist Hospital considered three sites--two of them on the Keystone corridor, which the developers were not interested because, in his opinion, the Keystone corridor sites would have cost more money. The remonstrators believe that commercial development results in a domino effect and that this will be the first of many to come.

Milton Baltimore, 2633 Kessler Boulevard, East Drive, stated that he lives directly across the street from the proposed facility. The City of Indianapolis needs desirable, stable neighborhoods to keep Indianapolis the great city that it is. He is opposed to Methodist Hospital building a facility in a residential area; he believes it should be built in a commercially-zoned area.

Phyllis Newton, 5801 North Oxford Street and President of the Brockton Civic League stated that traditionally the Metropolitan Development Commission and its staff have worked to divert traffic away from schools. This proposed development, by DMD's own projection, will add tens of thousands of cars across the access routes to IPS School No. 59. There are three schools on Kessler Boulevard in three blocks. If this property is rezoned for commercial use the additional traffic would make it hazardous to enter and egress from the homes on Kessler. In 1958 the original developers of Glendale Mall promised the neighbors covenants which guaranteed a residential buffer on this property. She urged the Councillors to oppose any change in zoning.

Jim Updike, 5950 North Keystone and President of the North Kessler Manor Neighborhood Association, stated that the Association was shocked by the decision of the zoning board and shocked by the position of DMD's staff to support this proposal. He said that this decision was made months in advance without any regard to the residents' concerns. The surrounding homeowners have been cheated of the privilege and right to have an input into a decision of this magnitude. According to the Plan the neighborhood is required by law to have a residential buffer zone between it and Glendale Mall.

Jesse Poole, an area resident, stated that this is an historic decision because its impact will be felt not only today but in the future and in many parts of the city. Kessler Boulevard is a tradition and traditions are hard to come by today.

Ed Smith, Principal of Bishop Chatard High School, stated that the vast majority of Chatard's students come by way of Kessler Boulevard, which is an already busy thoroughfare. He estimates that there will be 300 to 500 more vehicles if this medical facility is allowed to be built at Kessler and Rural. He believes a better location could be found.

Mr. Bippus informed the Council that State Representatives Paul Mannweiler and John Ruckelshaus, Washington Township Trustee Ray Paschke and Washington Township Assessor Richard Cunningham are present and support the remonstrators.

John Tinder, 3003 East Kessler Boulevard, said that, in his opinion, this is bad zoning because the petitioner has not shown clear reason that the neighborhood would be helped by this rezoning. He said there has been no change in the area that would justify deviating from the Plan. It is his opinion that DMD did not give the neighborhoods fair input into this decision.

Mr. Bippus said that the remonstrators are here to ask the Councillors to vote against this rezoning.

Ms. Solada said that the Plan is a guideline for development in this county. She asked the Councillors to defer to the professional staff of DMD, who have reviewed this and have not deemed there to be any traffic safety uses involved with this project.

The President asked if there is anyone from the general public not a member of either of these groups who wished to testify.

Greg Jarvis, 4231 Kessler Lane, East Drive, and President of Eastwood Neighborhood Association, representing approximately 500 residents, stated that the association is opposed to this zoning. A decision to commercially rezone land along Kessler Boulevard is not one to be taken lightly since it indicates a lack of concern for the surrounding neighborhoods. He is a former urban planner with DMD and said that when Kessler Boulevard was planned and conceived in the 1940's it was to be a wide street with attractive views and as an uncongested, non-commercial boulevard.

Ruth Hayes, President of the Nora Northside Community Council, stated that the Plan is supposedly the rule by which everyone plays. The burden of proof is upon the petitioner and she has not heard anything that has changed in the neighborhood since that Plan was adopted that would justify the reclassification of that property. That corner is zoned

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residential. And if the residents say that is what they want, then there should be no change until the Plan is reviewed, renewed or redone.

Councillor Borst stated that there have been several updates to the Plan since 1954 but no one has ever asked it to be changed; the zoning has stayed D-3 through all the reviews.

Councillor Williams asked what was the rationale behind the recommendation to deviate from the Plan, and what makes this project an appropriate buffer.

Tamara Tracy, Senior Planner, Division of Development Services, DMD, stated that every city is comprised of commercial, industrial and residential uses and where they come together there is usually friction. The intention of the Plan is to buffer the residential areas to the south and to the east from Glendale Mall to the north. The commitments in association with this rezoning meet many of the criteria and issues DMD has, specifically buffering and landscaping. This medical facility is an acceptable deviation that would fulfill the objective of the Plan. This rezoning will balance the development needs of the community and the neighborhood needs of the community.

Councillor Ruhmkorff asked if there is actually a cemetery located on the property.

Mr. Paschke responded that the first merchant in Broad Ripple is buried at that location and that it has been used as a family plot.

Ms. Solada said that if the developer in the course of excavation discovers any remains or evidence that the property has been used as a cemetery, the Department of Natural Resources has to be notified and it will then issue a cease and desist order and the developer has to comply with whatever orders are handed down.

Councillor Short stated that he supports the petitioner's request for rezoning. He believes Methodist Hospital would be a good neighbor and it is a good corporate citizen in the community.

Councillor Rhodes said that this neighborhood remained residential through all the Plan reviews because the residents of the neighborhood wanted it to stay residential. He believes this rezoning threatens the entire length of Kessler Boulevard. There has never been any commercial development on Kessler Boulevard since the Plan was adopted and there never should be. If this rezoning is approved, the adjacent locations will be rezoned--it will have the domino effect. It has happened on 62nd Street, 38th Street, 46th Street, and it has happened along Keystone. There are alternate locations along the Keystone corridor where this medical facility could be located that are already zoned commercial, although they would cost a developer more money. This is not the right answer; this is not good zoning. The Plan recommends residential development for this property and the neighborhood supports the Plan. A message needs to be sent to the Metropolitan Development Commission and to the DMD staff that neighborhoods are the backbone of this City, that they should not be ignored, that their support and involvement in the planning process is crucial to the vitality of this City. Any deviation from the Plan should have massive neighborhood support, not opposition. He urged the Councillors to reject the creeping commercialization of Kessler Boulevard.

The President reminded the Councillors that to sustain the lower body will take 12 green votes; to reject the lower body will take 18 red votes. The Commission's decision was sustained and Proposal No. 218, 1992 was approved by the following roll call vote; viz:

12 YEAS: Boyd, Franklin, Golc, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Short, Smith, Williams

16 NAYS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, McClamroch, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, West

1 NOT VOTING: Hinkle

Councillor Hinkle stated that because of his association with a company involved in the sale of the land in question, and upon advice from Corporation Counsel, he abstained due to a conflict of interest.

Proposal No. 218, 1992 is identified as follows:

REZONING ORDINANCE NO. 47, 1992. 92-Z-16 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #07.
2802 KESSLER BOULEVARD EAST DRIVE (approximate address), INDIANAPOLIS.
MICHAEL F. WILEY, by Mary D. Solada, requests the rezoning of 3.9422 acres, being in the D-3 District, to the C-1 classification to provide for commercial development.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 11, 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

April 28, 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, April 30, 1992, a copy of NOTICE of a PUBLIC HEARING on Proposal Nos. 193, 194, 198, 200, 201, 202, 203, 204 and 218, 1992, to be held on Monday, May 11, 1992, at 7:00 p.m., in the City-County Building.

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

May 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:

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:

FISCAL ORDINANCE NO. 19, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional \$669,808 in the Sanitation General Fund for purposes of the Department of Public Works, Advanced Wastewater Treatment Division, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

SPECIAL RESOLUTION NO. 25, 1992, memorializing Major Paul J. "Joe" Ernst.

SPECIAL RESOLUTION NO. 26, 1992, recognizing Patsy McCormick's work for abused women.

SPECIAL RESOLUTION NO. 27, 1992, recognizing Indianapolis convention business.

SPECIAL RESOLUTION NO. 28, 1992, approving the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds.

SPECIAL RESOLUTION NO. 29, 1992, authorizing the amendment of S.R. No. 48, 1989, as amended, to extend the expiration date on the Inducement Resolution for Diversified Systems, Inc. to October 31, 1992.

SPECIAL RESOLUTION NO. 30, 1992, authorizing the amendment of S.R. No. 76, 1991, as amended, to extend the expiration date on the Inducement Resolution for Allison Gas Turbine Division GMC to October 31, 1992.

SPECIAL RESOLUTION NO. 31, 1992, approving an inducement resolution for Park Tudor Foundation, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of additions to the existing facilities located at 7200 North College Avenue.

SPECIAL RESOLUTION NO. 32, 1992, approving an inducement resolution for National Benevolent Association, Robin Run Village Phase II, in an amount not to exceed \$10,500,000 for the acquisition, construction, installation and equipping of the elderly multi-family residential rental housing units, and related facilities located at 5354 West 62nd Street.

SPECIAL RESOLUTION NO. 33, 1992, approving an amendment to the Central Garage Lease between the City and the Building Authority.

SPECIAL RESOLUTION NO. 34, 1992, establishing a \$500 petty cash fund to be placed in the Controller's custody for the use of the Mayor's Office, Finance Division (Controller), Legal Division, Human Resources Division, and Central Purchasing Division.

GENERAL ORDINANCE NO. 25, 1992, creating a public defender board and agency.

GENERAL ORDINANCE NO. 26, 1992, reorganizes and expands the internal audit functions by establishing an Internal Audit Agency to replace the division of internal audit.

GENERAL ORDINANCE NO. 27, 1992, amending the Code concerning taxi fares for the 500-Mile Race.

GENERAL ORDINANCE NO. 28, 1992, establishing the White River Greenway Development Board.

SPECIAL ORDINANCE NO. 3, 1992, authorizing the amendment of previously executed bond documents relating to \$695,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1990 (Mobile Drilling Company, Inc. Project).

SPECIAL ORDINANCE NO. 4, 1992, authorizing the amendment of documents relating to the previously issued \$8,100,000 City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Webb/Henne Indianapolis Venture I Project) dated as of December 1, 1985.

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 April 27, 1992. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 246, 1992. This proposal, sponsored by Councillor Golc, recognizes The Kroger Company and Indianapolis Public School (IPS) Daniel Webster School No. 46 Partners in Education. Donald Payton, Indianapolis Public School Board member, read the resolution. Councillor Golc presented copies of the document to Phyllis Xmel, principal of School No. 46; Betty McCarty, regional director, IPS; Sonya Saunders and Terri Penelton, representing The Kroger Co. Ms. Xmel expressed appreciation for the recognition. Councillor Golc moved, seconded by Councillor Giffin, for adoption. Proposal No. 246, 1992 was adopted by unanimous voice vote.

Proposal No. 246, 1992 was retitled SPECIAL RESOLUTION NO. 35, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1992

A SPECIAL RESOLUTION recognizing The Kroger Company and IPS Daniel Webster School No. 46 Partners in Education.

WHEREAS, it is fashionable today to complain about the schools, but The Kroger Company has actively put its human and financial resources to work for the children at Indianapolis Public Schools Daniel Webster School No. 46 under the auspices of Partners in Education of the Indianapolis Chamber of Commerce; and

WHEREAS, the Kroger Company "adopted" this urban elementary school and uses a variety of practical, hands-on, activities such as scholarships for students who meet strict criteria, awards for attendance and reading books, sponsored the school's first-ever science fair, furnished cookies for birthdays, toured the Indianapolis Motor Speedway, Conner Prairie and the Indianapolis Zoo, gave ice cream for those with perfect attendance, organized after-school basketball and career awareness job shadowing experiences, and allowed the students to ride on Kroger's Indianapolis 500 parade float; and

WHEREAS, the award-winning partnership has already resulted in an outstanding 96% school attendance rate, high school morale, improved behavior and citizenship, and has increased academic performance; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and applauds the partnership program between The Kroger Company and IPS Daniel Webster School No. 46.

SECTION 2. The Council hopes that more businesses and concerned individuals will take it upon themselves to become involved in similar practical actions to improve the educational experiences of school children.

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.

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PROPOSAL NO. 247, 1992. This proposal, sponsored by Councillor Gilmer, recognizes Pike Township High School's centennial year. Councillor Gilmer stated that he will present the resolution at a school board meeting in June. Councillor Gilmer moved, seconded by Councillor Curry, for adoption. Proposal No. 247, 1992 was adopted by unanimous voice vote.

Proposal No. 247, 1992 was retitled SPECIAL RESOLUTION NO. 36, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1992

A SPECIAL RESOLUTION recognizing Pike Township School's centennial year.

WHEREAS, the senior Class of 1992 of the Metropolitan School District of Pike Township, Marion County, Indiana, is the 100th senior class to graduate from a Pike Township High School, originally called New Augusta High School, and commissioned prior to the turn of the Twentieth Century; and

WHEREAS, this class is symbolic of the rich heritage of the Pike Township school community, a community that has consistently nurtured and financially supported excellence in education for its students; and

WHEREAS, many members of this year's class are second, third, and even fourth generation graduates to receive diplomas from a Pike Township high school; and

WHEREAS, the entire Pike Township school community, located in the metropolitan area of Indianapolis, takes great pride in this historic event that comes at a time of rapid growth and blending of newer family residents with longtime families of this once rural farming community; and

WHEREAS, this fast growing suburban community has never lost touch with the needs of the individual student; 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 commends the 1992 Pike High School graduating class for its special and unique place in the rich heritage of the Pike Township school community, and recognizes the previous 99 graduating classes of this proud school district.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 248, 1992. This proposal, sponsored by Councillor Beadling, recognizes Methodist Hospital's Life Line medical helicopter service. Councillor Beadling read the resolution and will present the resolution to Life Line at a later date. Councillor Beadling moved, seconded by Councillor West, for adoption. Proposal No. 248, 1992 was adopted by unanimous voice vote.

Proposal No. 248, 1992 was retitled SPECIAL RESOLUTION NO. 37, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1992

A SPECIAL RESOLUTION recognizing Methodist Hospital's Life Line medical helicopter service.

WHEREAS, on July 15, 1979, Indiana history was made when the state's first hospital-based helicopter lifted into the air from the roof of Methodist Hospital in Indianapolis; and

WHEREAS, Methodist's Life Line is an airborne emergency room which annually transports 1,200 seriously ill and injured patients from motor vehicle accidents, falls, poisonings, overdoses, burns, cardiovascular maladies, the "Indianapolis 500" race, and other emergency cases to Methodist Hospital and to other major hospitals; and

WHEREAS, during May, 1992, a Methodist Life Line helicopter will transport its 10,000th patient from an accident site or hospital somewhere in Indianapolis or central Indiana; 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 Methodist Hospital's Life Line service, and salutes their milestone celebration of 10,000 emergency errands of mercy flights.

SECTION 2. The Council commends the skill and dedication of Life Line staff members: Dr. William Rutherford, Debbie Schutz, Michael Matterna, Randy Chadd, Brian Miller, Tom Horner, Bill Baxter, John Berthiaume, Gene Berthiaume, Bill O'Brien, Linda Kelley, Angi Fiege, Richard Tryon, Jane Mounts, Brenda Russell, Kathy Beretta, Ann Guckenberger, Lori Swoboda, Annette Spencer, Pam Barker, Barb Whetstone, Bruce Eccles, Jill Perry, Rusty McQuiston, Steve Bradley, Dave Truex, Brian Perisho, Mike Beeles, Rick Rogers, Stacy Conkin, Dave Henninger, Howard Stahl, and Dan Chubb.

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. 192, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 192, 1992 on May 4, 1992. The proposal appoints Nelson S. Hart to the Audit Committee. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor West, for adoption. Proposal No. 192, 1992 was adopted by unanimous voice vote.

Proposal No. 192, 1992 was retitled COUNCIL RESOLUTION NO. 55, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1992

A COUNCIL RESOLUTION appointing Nelson S. Hart to the Audit Committee.

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

SECTION 1. As a member of the Audit Committee, the Council appoints:

Nelson S. Hart

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 199, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 199, 1992 on April 29, 1992. The proposal appointing David T. Smith to the Marion County Community Corrections Advisory Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 199, 1992 was adopted by unanimous voice vote.

Proposal No. 199, 1992 was retitled COUNCIL RESOLUTION NO. 56, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1992

A COUNCIL RESOLUTION appointing David T. Smith to the Marion County Community Corrections Advisory Board.

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

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

David T Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 207, 1992. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 207, 1992 on April 30, 1992. The proposal appoints Arno Haupt to the Board of Public Works. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 207, 1992 was adopted by unanimous voice vote.

Proposal No. 207, 1992 was retitled COUNCIL RESOLUTION NO. 57, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1992

A COUNCIL RESOLUTION appointing Arno Haupt to the Board of Public Works.

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

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

Arno Haupt

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1992. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 228, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$60,000 for Voters Registration to purchase computer equipment and to pay for reprogramming and remodeling costs"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 229, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the Controller, the Auditor and the Treasurer to transact business through the use of electronic funds transfer"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 230, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$100,000 for the Prosecuting Attorney to cover the computer system linkup charges between the Prosecutor's Office and the Indiana Prosecuting Attorney's Council "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 231, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$5,000 for the Prosecuting Attorney to utilize a state grant to pay the salary of a part-time juvenile victim advocate"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 232, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$33,011 for the Superior Court, Juvenile Division/Detention Center, to pay the salaries of an additional court reporter and a bailiff"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 233, 1992. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$3,400 for the Superior Court, Criminal Division, Room One, to pay for a salary increase due to a job reclassification"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 234, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$37,500 to cover public defender expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 235, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning rabies control"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 236, 1992. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE requiring an 8% reduction in budgeted expenditures from the County General Fund"; and the President referred it to the Rules and Public Policy Committee.

President SerVaas stated that as a result of adverse economic conditions, decreasing revenues, and subsequent depletion of cash reserves there will be insufficient resources in the county budget to support current spending levels. Proposal No. 236, 1992 directs the County Auditor to reduce the 1992 budgets of all county agencies by 8%. The Rules and Public Policy Committee will hear this proposal at their meeting on May 19, 1992.

PROPOSAL NO. 237, 1992. Introduced by Councillors Curry and Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning vehicle taxes in Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 238, 1992. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Chapel Bend subdivision (District 18)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 239, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by

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authorizing a traffic signal at the intersection of Doubletree Drive and Michigan Road (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 240, 1992. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the access drive (south) and Harcourt Road (8400 N.) (District 3)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 241, 1992. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on the east side of College Avenue from 225 feet south of 42nd Street to 225 feet north of 42nd Street (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 242, 1992. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on the east side of College Avenue from 275 feet south of 49th Street to 275 feet north of 49th Street (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 243, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on the east side of College Avenue from 275 feet south of 52nd Street to 290 feet north of 52nd Street (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 244, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on the east side of College Avenue from 275 feet south of 54th Street to 290 feet north of 54th Street (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 245, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting a one-way southbound traffic flow on Pierson Street between Fall Creek Parkway, South Drive and 22nd Street; and by authorizing intersection controls at Fall Creek Parkway, South Drive, and Pierson Street (District 22)"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 225, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 225, 1992 on May 6, 1992. The proposal authorizes the amendment of S.R. No. 43, 1991, as amended, to extend the expiration date on the Inducement Resolution for Meadow Farms Industries, Inc. to November 30, 1992. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Franklin, for adoption. Proposal No. 225, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 225, 1992 was retitled SPECIAL RESOLUTION NO. 38, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1992

A SPECIAL RESOLUTION amending City-County Special Resolution No. 43, 1991, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-6-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 43, 1991, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Meadow Farms Industries, Inc. (the "Company") which Inducement Resolution set an expiration date of April 30, 1992 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of April 30, 1992, contained therein and replacing said date with the date of November 30, 1992.

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

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

PROPOSAL NO. 226, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 226, 1992 on May 6, 1992. The proposal approves the sale of City of Indianapolis, Indiana Convertible Demand Adjustable Rate Economic Development Revenue Bonds, Series 1992 (Park Tudor Foundation, Inc. Project) in the aggregate principal amount of \$4,500,000. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Jones, for adoption. Proposal No. 226, 1992 was adopted on the following roll call vote; viz:

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

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Proposal No. 226, 1992 was retitled SPECIAL ORDINANCE NO. 5, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1992

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its Convertible Demand Adjustable Rate Economic Development Revenue Bonds, Series 1992 (Park Tudor Foundation, Inc. Project), in the aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000.00), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act"), have been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition and construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between the Issuer and a corporate trustee; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") intends to issue its Convertible Demand Adjustable Rate Economic Development Revenue Bonds, Series 1992 (Park Tudor Foundation, Inc. Project) in the aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) (the "Series 1992 Bonds") pursuant to a Trust Indenture (The "Indenture") dated as of May 1, 1992, between the Issuer and Bank One, Indianapolis, NA acting as Trustee (the "Trustee") in order to obtain funds to lend to Park Tudor Foundation, Inc. (the "Company") pursuant to a Loan Agreement (the "Loan Agreement") dated as of May 1, 1992, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the acquisition, construction, installation and equipping of an addition to the Company's existing facilities consisting of (i) an approximately 55,070 square foot building which will be used as a gymnasium/physical education facility, a lobby, locker rooms and miscellaneous facilities; (ii) an auxiliary storage building, and; (iii) tennis courts; the acquisition, construction, installation and equipping of various site improvements at the facilities; and the acquisition and installation of machinery, equipment, fixtures and furnishings for use in the facilities; and to pay a portion of the costs of issuance of the Series 1992 Bonds (the "Project"); and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Series 1992 Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Series 1992 Bonds as the same become due and payable and to pay administrative expenses in connection with the Series 1992 Bonds; and

WHEREAS, pursuant to the Indenture, the Issuer will assign certain of its rights under the Loan Agreement as security for the Series 1992 Bonds; and

WHEREAS, INB National Bank (the "Bank"), will issue a Letter of Credit (as defined in the Indenture) in favor of the Trustee, for the account of the Company, obligating the Bank to pay to the Trustee during the periods described therein, upon request and in accordance with the terms thereof, the amounts described therein for the purpose of making certain payments on or with respect to the Series 1992; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted pursuant to Indiana Code 36-7-12-24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), on May 6, 1992 has approved the final forms of the 1) Indenture; 2) Loan Agreement; 3) Preliminary Official Statement (the "Preliminary Official Statement"); 4) the form of the Series 1992 Bonds; 5) the Bond Purchase Agreement among the Company, Issuer, and McDonald & Company Securities, Inc. (the "Underwriter") (the "Bond Purchase Agreement"); and 7) the Letter of Representations to The Depository Trust Company (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted on the aforementioned 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 financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Series 1992 Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion

of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved, and all such documents 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 Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter bids for, purchases, offers or sells municipal securities, the participating underwriter shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending of such matters.

SECTION 4. The Issuer shall issue its Series 1992 Bonds in the aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Series 1992 Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement in the principal amount equal to the principal amount of the Series 1992 Bonds which will be executed and delivered by the Company to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Series 1992 Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Series 1992 Bonds to the Underwriter at a price not less than 98% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed the Maximum Rate as defined in the Indenture. In addition to the use of the Preliminary Official Statement by the Underwriter, the use of an Official Statement in substantially the same form as the Preliminary Official Statement approved herein, but containing the information permitted to be omitted from the nearly final Official Statement by the SEC Rule, is approved for use and distribution in connection with the marketing of the Series 1992 Bonds. Pursuant to the Indenture the Issuer appoints McDonald & Company Securities, Inc. as the initial Remarketing Agent.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Series 1992 Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Series 1992 Bonds to the Underwriter, payment for which will be made in the manner set forth in the Financing Documents. The Series 1992 Bonds shall, as set forth in the Indenture, be dated their date of initial delivery, provided, however, that such date shall be not later than ninety (90) days after the date of adoption of this special ordinance by this Council. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 7. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Series 1992 Bonds and after the issuance of said Series 1992 Bonds, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Series 1992 Bonds or the interest thereon remains unpaid.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 227, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 227, 1992 on May 6, 1992. The proposal is an inducement resolution for Herff Jones, Inc. in an amount not to exceed \$5,000,000 for the acquisition, construction, installation and equipping of a building containing approximately 69,000 square feet to be located at 4500 West 62nd Street. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Mullin, for adoption. Proposal No. 227, 1992 was adopted on the following roll call vote; viz:

May 11, 1992

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

0 NAYS:

2 NOT VOTING: *Golc, Rhodes*

Proposal No. 227, 1992 was retitled SPECIAL RESOLUTION NO. 39, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1992

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-1-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, Herff Jones, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of a building containing approximately 69,000 square feet to be located at 4500 West 62nd Street, Indianapolis, Marion County, Indiana an approximately 3 acres of land which will be used primarily for the manufacturing of high school and college class rings, medals, awards and commercial recognition products; the acquisition of machinery, equipment and furnishings for use in the facility; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (three hundred and fourteen (314) jobs) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment (three hundred and fourteen (314) jobs) within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Five Million Dollars (\$5,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires

November 30, 1992, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as it may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NOS. 249-251, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 7, 1992". The Council did not schedule Proposal Nos. 249-251, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 249-251, 1992 were retitled REZONING ORDINANCE NOS. 48-50 1992 and are identified as follows:

REZONING ORDINANCE NO. 48, 1992. 92-Z-25 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT #05.

10703 EAST 63RD STREET (approximate address), INDIANAPOLIS.

PAUL W. STEWART, by Thomas Michael Quinn, requests the rezoning of 44.04 acres, being in the D-A and PK-1 Districts, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 49, 1992. 92-Z-32 CENTER TOWNSHIP
COUNCILMANIC DISTRICT #16.

420 WEST MICHIGAN STREET (approximate address), INDIANAPOLIS.

MICHAEL J. FEENEY requests the rezoning of 0.02 acre, being in the I-3-U District, to the CBD-2 classification to provide for a residential apartment building.

REZONING ORDINANCE NO. 50, 1992. 92-Z-33 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT #23.

5245 PACIFIC STREET (approximate address), BEECH GROVE.

WORTHMORE ACADEMY, INC., by Joseph M. Scimia, requests the rezoning of 13.75 acres, being in the C-S and SU-34 Districts, to the SU-2 classification to provide for the development of a private school.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 193, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 193, 1992 on May 4, 1992. The proposal transfers and appropriates \$20,000 for the City-County Council to pay legal fees relating to cable franchise matters. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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Councillor Rhodes said that since the Committee hearing, he has learned that the outside legal fees for this cable matter will be paid directly from the Department of Administration's (DOA) budget.

Councillor West said that Joseph Loftus, the liaison between the Mayor and the Council, told him that the Mayor's administration did not want to transfer the \$20,000 since it was already in DOA's budget and DOA would pay for the legal fees; therefore, the Controller will not agree to the transfer.

Councillor McClamroch asked what is the \$20,000 for and to whom is it payable.

The President said that the \$20,000 is part of the anticipated legal fees relating to cable franchising operations, and will partially be used for outside counsel. It is not payable to anyone right now; it is a transfer.

Councillor McClamroch asked if the Council has the authority to contract with outside counsel. Councillor West responded affirmatively.

Councillor McClamroch asked if this will be payable directly to the outside counsel. Councillor West replied that a transfer is never payable to anyone. The Council has an agreement with the Mayor to contract with outside counsel, which is Miller and Holbrook in Washington, D.C.

Councillor Coughenour asked Robert Elrod, General Counsel, if there is any reason why this transfer cannot be made.

Mr. Elrod responded that to the best of his knowledge there has been the following sequence of events: (1) An agreement was negotiated to hire outside counsel for assistance on the MaxTel cable refranchising matter for a maximum sum of \$12,000. (2) At this point the agreement is for a joint contract between the Council and the Mayor's administration. (3) The position of the Mayor's administration is that payment will be made directly from DOA's budget where these funds are currently residing. (4) Proposal No. 193, 1992 was originally drafted by the Council staff with the understanding that the City would consent to the transfer of the funds. (5) The City is not willing now to consent to the transfer of funds. Mr. Elrod further said that the law does not give the Council authority to transfer funds in a City budget without the agency's consent.

Councillor Coughenour asked for his opinion on the matter. Mr. Elrod responded that he has always taken the position that Council could not reduce someone's budget without the consent of the fiscal officer who has control of that budget.

Councillor Williams said that her concern has to do with who is the client because the client is the person who pays the bill. If DOA is going to do the retaining, then the City will be the client; if the Council needs counsel, then Council needs to do the retaining with money out of its budget. She said, however, that she understood that there was an agreement that the transfer would be made.

Councillor Black said that the Committee voted to pass this proposal unanimously. If there are any changes to be made, he feels that it should be referred back to Committee; if there are no changes, then the Council should vote on the proposal as it came out of Committee.

Councillor Ruhmkorff said that at the Committee meeting James Steele, City Controller, confirmed that he would transfer the money. If he has changed his mind, she believes the proposal should be sent back to Committee.

Councillor Schneider asked why the City cannot hire the law firm. The President responded that it is the Council's responsibility to handle franchise matters, not the City's.

Councillor Dowden said that since DOA has the money in its budget and it is going to hire the law firm, he believes it would be inappropriate for the Council to attempt to transfer that money. He said that the responsible action would be to either table or strike Proposal No. 193, 1992.

Councillor Curry made the following three points: (1) the City-County Council is the franchising agency for cable, (2) in 1991 during the 1992 budget hearings, the money for the administration of the cable business was placed in DOA's budget by Council choice, and (3) the Administration and Finance Committee had an open public hearing and both Mr. Steele and Mr. Loftus were present and both agreed to this transfer. He recommended that Proposal No. 193, 1992 be passed as it came out of Committee.

Councillor Howard said that a message should be sent to the Controller that he does not control the Council; he is not an elected official.

Councillor Beadling said that she believes that the proposal should be voted on as it came out of Committee.

Councillor Moriarty asked Mr. Loftus to respond to this matter.

Mr. Loftus said that he stated at the Administration and Finance Committee meeting that DOA would not authorize the transfer of those funds, but rather that the Mayor would work with the Council to provide Council the requisite legal assistance in this matter.

Sue Beesley, Corporation Counsel, said that the contract has been drafted so that both the City and the Council are the clients.

Councillor Mullin asked Mr. Steele why he will not transfer the funds. Mr. Steele responded that there is a misconception that he approved the transfer at the Committee meeting. He said that he did not agree that the money could be transferred because he was concerned about the Council's authority to do such a transaction.

Councillor Dowden asked Ms. Beesley if City Legal has agreed to hire the Washington law firm that the Council wants. Ms. Beesley replied affirmatively.

Councillor Rhodes said that he agrees with Councillor Williams that the person who pays the bills, directs the work. He recommended that the Council vote to pass Proposal No. 193, 1992.

The President called for public testimony at 10:46 p.m. There was no one present to testify. Proposal No. 193, 1992 was adopted on the following roll call vote; viz:

18 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Howard, Jimison, Jones, O'Dell, Ruhmkorff, SerVaas, Shambaugh, West, Williams

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9 NAYS: Dowden, Giffin, Hinkle, McClamroch, Moriarty, Mullin, Schneider, Short, Smith
2 NOT VOTING: Golc, Rhodes

Proposal No. 193, 1992 was retitled FISCAL ORDINANCE NO. 20, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Twenty Thousand Dollars (\$20,000) in the City General Fund for purposes of the City-County Council and reducing certain other appropriations in the City General Fund for the Department of Administration.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01, of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the City-County Council to pay legal fees relating to cable franchise matters.

SECTION 2. The sum of Twenty Thousand (\$20,000) 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>CITY-COUNTY COUNCIL</u>	<u>CITY GENERAL FUND</u>
3. Other Services and Charges	<u>\$20,000</u>
TOTAL INCREASE	\$20,000

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

<u>DEPARTMENT OF ADMINISTRATION</u>	<u>CITY GENERAL FUND</u>
3. Other Services and Charges	<u>\$20,000</u>
TOTAL REDUCTION	\$20,000

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

PROPOSAL NO. 194, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 194, 1992 on May 4, 1992. The proposal appropriates \$178,976 for the County Treasurer to pay remodeling costs. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Mary Buckler, County Treasurer, stated that she wanted to make a statement for the record that this money is not for remodeling costs, \$88,000 was in Character 3 under obligation to the Building Authority, \$90,000 was in Character 4 for mailing equipment. Proposal No. 194, 1992 moves this money that has already been encumbered in the County General Funds over into the Cumulative Capital Fund.

The President called for public testimony at 10:54 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Ruhmkorff for adoption. Proposal No. 194, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 194, 1992 was retitled FISCAL ORDINANCE NO. 21, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Seventy-eight Thousand Nine Hundred Seventy-six Dollars (\$178,976) in the Cumulative Capital Development Fund for purposes of the County Treasurer and reducing the unappropriated and unencumbered balance in the Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (i) 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 Treasurer to pay remodeling costs.

SECTION 2. The sum of One Hundred Seventy-eight Thousand Nine Hundred Seventy-six Dollars (\$178,976) 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 TREASURER</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay	<u>\$178,976</u>
TOTAL INCREASE	\$178,976

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

	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered Cumulative Capital Development Fund	<u>\$178,976</u>
TOTAL REDUCTION	\$178,976

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

PROPOSAL NO. 198, 1992. The proposal appropriating \$7,140 for the County Recorder to make the annual payment for leased vault space. Councillor Borst asked for consent to postpone the proposal until May 26, 1992. Consent was given.

PROPOSAL NO. 200, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 200, 1992 on April 29, 1992. The proposal appropriates \$14,227 for the Prosecuting Attorney to continue the Domestic Violence Victim's Counseling Project which is funded by the annual Salvation Army grant. 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 10:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 200, 1992 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West*

0 NAYS:

6 NOT VOTING: *Coughenour, Golc, Hinkle, Rhodes, Smith, Williams*

May 11, 1992

Proposal No. 200, 1992 was retitled FISCAL ORDINANCE NO. 22, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1991 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Fourteen Thousand Two Hundred Twenty-seven Dollars (\$14,227) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to continue the Domestic Violence Victim's Counseling Project which is funded by the annual Salvation Army grant.

SECTION 2. The sum of Fourteen Thousand Two Hundred Twenty-seven Dollars (\$14,227) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	\$14,227
TOTAL INCREASE	\$14,227

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	\$14,227
TOTAL REDUCTION	\$14,227

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

PROPOSAL NO. 201, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 201, 1992 on April 29, 1992. The proposal appropriates \$700 for the Presiding Judge of the Municipal Court to cover the costs of a graduation ceremony for probationers who passed the GED examination funded by private grants. 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 10:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 201, 1992 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Hinkle*

3 NOT VOTING: *Coughenour, Golc, Rhodes*

Proposal No. 201, 1992 was retitled FISCAL ORDINANCE NO. 23, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Seven Hundred Dollars (\$700) in the County Grants Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (cc) 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 cover the costs of a graduation ceremony in honor of Municipal Probation Department Probationers who have completed the GED program and have passed the GED examination funded by grants from Lilly Endowment, Inc., Indiana Pacers, and Melvin Simon & Associates.

SECTION 2. The sum of Seven Hundred Dollars (\$700) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	\$635
3. Other Services and Charges	<u>65</u>
TOTAL INCREASE	\$700

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered County Grants Fund	<u>\$700</u>
TOTAL REDUCTION	\$700

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

PROPOSAL NO. 202, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 202, 1992 on April 29, 1992. The proposal appropriates \$288,381 for the Presiding Judge of the Municipal Court to hire additional public defenders and support staff. By a 4-3 vote, the Committee moved that the proposal be tabled. Councillor Dowden asked for consent to postpone Proposal No. 202, 1992. Consent was given.

PROPOSAL NO. 203, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 203, 1992 on April 29, 1992. The proposal transfers and appropriates \$364,604 for the County Auditor to pay for the Automated Finger Printing System. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:59 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 203, 1992 was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

3 NAYS: *Hinkle, Short, Williams*

4 NOT VOTING: *Black, Coughenour, Golc, Rhodes*

May 11, 1992

Proposal No. 203, 1992 was retitled FISCAL ORDINANCE NO. 24, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Three Hundred Sixty-four Thousand Six Hundred and Four Dollars (\$364,604) in the Cumulative Capital Development Fund for purposes of the County Auditor and transferring funds from the County Sheriff and reducing the unappropriated and unencumbered balance in the Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (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 County Auditor to pay for an Automated Finger Printing System.

SECTION 2. The sum of Three Hundred Sixty-four Thousand Six Hundred and Four Dollars (\$364,604) be, and the same is hereby appropriated for the purposes as shown in Section 3 by transferring certain appropriations and reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY AUDITOR</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay	\$364,604
TOTAL INCREASE	\$364,604

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

<u>COUNTY SHERIFF</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay	\$114,504
Unappropriated and Unencumbered Cumulative Capital Development Fund	250,100
TOTAL REDUCTION	\$364,604

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

PROPOSAL NO. 204, 1992. The proposal appropriates \$10,350 for the Marion County Justice Agency, acting as subgrantee for the Indiana Criminal Justice Institute, to pay personnel costs for the Julian Center for its Victim Witness Services. Councillor Dowden asked for consent to postpone the proposal until May 26, 1992. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NOS. 169 and 211, 1992. Councillor Gilmer asked for consent to vote on these two transportation proposals together. Consent was given. PROPOSAL NO. 169, 1992. The proposal amends the Code by deleting a one-way traffic flow on McCrea Street between Georgia Street and Jackson Place, North Drive; and by authorizing intersection controls at Georgia Street and McCrea Street and at Jackson Place and McCrea Street (District 21). PROPOSAL NO. 211, 1992. The proposal amends the Code by authorizing a weight limit restriction on a segment of Alabama Street, from Fort Wayne Avenue to 16th Street (District 22). Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 169 and 211, 1992 on May 6, 1992. By an 8-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal Nos. 169 and 211, 1992 were adopted on the following roll call vote; viz:

Journal of the City-County Council

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

1 NAY: *Curry*

4 NOT VOTING: *Dowden, Golc, Schneider, Shambaugh*

Proposal No. 169, 1992 was retitled GENERAL ORDINANCE NO. 29, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1991

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND
McCrea Street, from Georgia Street
to Jackson Place, North Drive

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 15	Jackson Pl., N. Dr. & McCrea St.	None	None

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 15	Georgia St. & McCrea St.	Georgia St.	Stop
25, Pg. 15	Jackson Pl. & McCrea St.	Jackson Pl.	Stop

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

Proposal No. 211, 1992 was retitled GENERAL ORDINANCE NO. 30, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT
Alabama Street, from
Fort Wayne Avenue to Sixteenth Street

May 11, 1992

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:04 p.m.

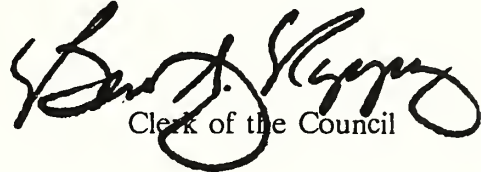
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of May, 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)