

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

**REGULAR MEETINGS
MONDAY, OCTOBER 26, 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, October 26, 1992, with Councillor SerVaas presiding.

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

ROLL CALL

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

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 Short acknowledged the presence of the Stanley K. Lacy Executive Leadership class, sponsored by the Chamber of Commerce.

OFFICIAL COMMUNICATIONS

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

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

Journal of the City-County Council

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 26, 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

October 13, 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, October 15, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 508, 509 and 532, 1992, to be held on Monday, October 26, 1992, at 7:00 p.m., in the City-County Building.

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:

FISCAL ORDINANCE NO. 63, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Four Hundred Eleven Thousand Three Hundred Forty-three Dollars (\$411,343) in the County Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County Grants Fund.

FISCAL ORDINANCE NO. 66, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Ninety seven Thousand Two Hundred Twelve Dollars (\$97,212) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 67, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Fifty-eight Thousand One Hundred Dollars (\$58,100) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

SPECIAL RESOLUTION NO. 65, 1992, remembering Coach Tony Hinkle.

SPECIAL RESOLUTION NO. 67, 1992, noting the 500th anniversary of Christopher Columbus' voyage to the new world.

SPECIAL RESOLUTION NO. 68, 1992, commemorating the 125th anniversary of Olivet Baptist Church.

SPECIAL RESOLUTION NO. 69, 1992, recognizing Mayor Hudnut for winning the Most Valuable Public Officials award.

SPECIAL RESOLUTION NO. 70, 1992, authorizing approval of an amendment to an existing Interlocal Cooperation Agreement between the City of Indianapolis and the City of Beech Grove for treatment of Beech Grove sewage.

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SPECIAL ORDINANCE NO. 13, 1992, determining not to allow the Welfare Director of Marion County to borrow, on a short term basis, \$10,400,000 to fund welfare services for the remainder of 1992.

SPECIAL ORDINANCE NO. 14, 1992, authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissions, to borrow \$10,400,000 from a financial institution on behalf of the County Department of Public Welfare to pay for the department's welfare obligations pursuant to IC 12-19-5 and appropriating the proceeds of the borrowing.

GENERAL ORDINANCE NO. 94, 1992, amending the Code to establish fees to be charged for persons accessing the mainframe computer through the "Enhanced Access" Pilot Project.

GENERAL ORDINANCE NO. 95, 1992, amending the Code and the Revised Code concerning violations of certain ordinances which can be paid through the ordinance violations bureau.

GENERAL ORDINANCE NO. 96, 1992, amending the Code by authorizing intersection controls in the Glen of Eagle Creek Subdivision (District 1).

GENERAL ORDINANCE NO. 97, 1992, amending the Code by authorizing intersection controls in the subdivision Garden of Eagle Creek (District 1).

GENERAL ORDINANCE NO. 98, 1992, amending the Code by authorizing intersection controls for Light House at Geist subdivision (District 5).

GENERAL ORDINANCE NO. 99, 1992, amending the Code by authorizing traffic signals at Fall Creek Road and Hague Road (Districts 4 and 5).

GENERAL ORDINANCE NO. 100, 1992, amending the Code by authorizing intersection controls at 72nd Street and Rural Street, 72nd Street and Tacoma Avenue, and 72nd Street and Temple Avenue (District 7).

GENERAL ORDINANCE NO. 101, 1992, amending the Code by authorizing a multi-way stop at Graham Avenue and 40th Street (District 14).

GENERAL ORDINANCE NO. 102, 1992, amending the Code by authorizing intersection controls at Melbourne Road and 58th Street (District 9).

GENERAL ORDINANCE NO. 103, 1992, amending the Code by authorizing intersection controls at Franklin Road and Southeastern Avenue (District 23).

GENERAL ORDINANCE NO. 104, 1992, amending the Code by authorizing one-way traffic on St. Clair Street from Centennial Street to Concord Street (District 16).

GENERAL ORDINANCE NO. 105, 1992, amending the Code by authorizing parking meters for the west side of Delaware Street from Ohio Street to the INB Tower entrance (District 16).

GENERAL ORDINANCE NO. 106, 1992, amending the Code by deleting parking restrictions on State Avenue from Washington Street to New York Street (District 22).

GENERAL ORDINANCE NO. 107, 1992, amending the Code by deleting intersection controls at Delaware and 32nd Street and authorizing parking restrictions on a segment of 32nd Street (District 22).

GENERAL ORDINANCE NO. 108, 1992, amending the Code by authorizing a 40 mph speed limit on Mills Road from Mann Road to High School Road (District 19).

GENERAL ORDINANCE NO. 109, 1992, amending the Code by authorizing weight limit restrictions on Market Street (District 16).

GENERAL ORDINANCE NO. 110, 1992, amending the Code by authorizing weight limit restrictions on Commerce Avenue from Massachusetts Avenue to 12th Street (District 22).

GENERAL ORDINANCE NO. 111, 1992, amending the Code by authorizing weight limit restrictions on 40th Street from Arlington Avenue to Emerson Avenue (District 14).

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.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

The President passed the gavel to Councillor West.

PROPOSAL NO. 571, 1992. This proposal, sponsored by Councillors SerVaas, West and Boyd, remembers former deputy mayor Michael A. Carroll. Councillor SerVaas read the resolution and presented a framed document to Mrs. Linda Carroll. Councillor SerVaas moved, seconded by Councillor West, for adoption. Proposal No. 571, 1992 was adopted by unanimous voice vote.

Proposal No. 571, 1992 was retitled SPECIAL RESOLUTION NO. 71, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1992

A SPECIAL RESOLUTION remembering former deputy mayor Michael A. Carroll.

WHEREAS, Michael A. Carroll was a hands-on man who was involved in many of the major city decisions during the past twenty years, but who preferred to do his good work in a modest low profile environment; and

WHEREAS, Mike Carroll was a special assistant to Senators Lugar and Quayle, was deputy mayor and was vice president for community development at Lilly Endowment; and

WHEREAS, he was personally involved with the White River State Games as both an organizer and as an athlete, the Indiana Sports Corporation, low income neighborhood housing, the Catholic Youth Organization and the Indianapolis Convention and Visitors Association; and

WHEREAS, he had a keen interest in IUPUI sports and was himself an accomplished wrestler; and

WHEREAS, Mike Carroll's young life ended in a plane crash on September 11, 1992, while he was on an information-gathering trip that could benefit the White River State Park; 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 shares in the grief of the untimely loss of an outstanding Indianapolis citizen, Michael A. Carroll.

SECTION 2. His friendship, hard work and expertise in neighborhood revitalization will be sorely missed.

SECTION 3. The Council extends its condolences to his wife Linda, and to the family.

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

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

PROPOSAL NO. 572, 1992. This proposal, sponsored by Councillors SerVaas, West and Boyd, remembers civic leader Frank E. McKinney Jr. Councillor SerVaas read the resolution and presented a framed document to Mrs. Marianne McKinney. Councillor SerVaas moved, seconded by Councillor West, for adoption. Proposal No. 572, 1992 was adopted by unanimous voice vote.

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Proposal No. 572, 1992 was retitled SPECIAL RESOLUTION NO. 72, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1992

A SPECIAL RESOLUTION remembering civic leader Frank E. McKinney Jr.

WHEREAS, Frank E. McKinney Jr. was a man with discipline, drive and vision; and

WHEREAS, he was a world class swimmer who earned bronze, silver and gold medals in the 1956 and 1960 Olympics; and

WHEREAS, as the chief executive officer of American Fletcher National Bank he pursued for twenty years his dream of a new downtown high rise bank headquarters building, which culminated in the 1990 opening of the Bank One Tower; and

WHEREAS, Mr. McKinney served on the boards of several corporations, actively worked for the renovations of Monument Circle and the City Market, was instrumental in bringing the National Art Museum of Sports to Indianapolis, and supported the building of the Indianapolis Sports Center and the IU Natatorium; and

WHEREAS, Frank McKinney was called from his earthly labors in a tragic airplane crash while on a mission to gather ideas for the downtown White River State Park; 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 expresses its sorrow at the loss of Frank E. McKinney Jr., a captain of Indianapolis banking and commerce.

SECTION 2. The Council extends its condolences to his wife Marianne, and to the family.

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.

Councillor West passed the gavel back to the President.

PROPOSAL NO. 573, 1992. This proposal, sponsored by Councillors SerVaas, West and Boyd, remembers community leader Robert V. Welch. Councillor West read the resolution and presented a framed document to Mr. Welch's daughter. Councillor West moved, seconded by Councillor Boyd, for adoption. Proposal No. 573, 1992 was adopted by unanimous voice vote.

Proposal No. 573, 1992 was retitled SPECIAL RESOLUTION NO. 73, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1992

A SPECIAL RESOLUTION remembering community leader Robert V. Welch.

WHEREAS, there were many special loves in Robert V. Welch's life: Family, Cathedral High School, Notre Dame University, the Irish Catholic faith, football and his newest challenge--the White River State Park; and

WHEREAS, a decade of his prodding resulted in the Hoosier Dome being built, he saved Cathedral High School from closing, he ran for mayor, he was active in several commercial real estate developments, he was a past president of the Indianapolis Athletic Club, his American Legion post and the Notre Dame Club of Indianapolis; and

WHEREAS, the imprints that Bob Welch made upon Indianapolis and Hamilton County will remain for many decades; and

WHEREAS, his newest challenge was when the Governor appointed him as executive director to pilot a future for the young White River State Park; and

WHEREAS, it was on a mission to explore new ideas for the state park that a tragic plane crash took his life on September 11, 1992; 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 is saddened by the loss of Robert V. Welch who accomplished much for this community.

SECTION 2. The Council extends its condolences to his wife Carolyn, and to the family.

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

PROPOSAL NO. 574, 1992. This proposal, sponsored by Councillors SerVaas, West and Boyd, remembers the life of civic leader John R. Weliever. Councillor Boyd read the resolution and presented a framed document to Mrs. Joyce Weliever. Councillor Boyd moved, seconded by Councillor West, for adoption. Proposal No. 574, 1992 was adopted by unanimous voice vote.

Proposal No. 574, 1992 was retitled SPECIAL RESOLUTION NO. 74, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1992

A SPECIAL RESOLUTION remembering the life of civic leader John R. Weliever.

WHEREAS, John R. Weliever was an outstanding example of a successful businessman who firmly believed that highminded citizens of goodwill have a duty to return a portion of their time and talent to the political and governmental process and to the community; and

WHEREAS, Mr. Weliever served as an advisor to the Governor, actively supported a successful candidate for Marion County Sheriff, agreed to serve as the state's Commissioner of the Department of Administration and later as the Executive Director of the troubled Hoosier Lottery; and

WHEREAS, he served as past presidents of the sheriff's department merit board and the Indiana Restaurant Association, was on the board of the Indiana Automobile Dealers Association, and he helped coach football for young people in Franklin Township and at Little Flower Catholic School; and

WHEREAS, in an ill-fated trip to search for ideas to develop Indiana's newest state park John Weliever lost his life in a tragic airplane crash; 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 expresses its sorrow at the untimely loss of one of the city's most astute young businessmen and civic leader John R. Weliever.

SECTION 2. May his life's example of political and governmental involvement serve as a lasting inspiration to others so that both the private and public sectors of this city and state will continue to prosper.

SECTION 3. The Council extends its condolences to his wife Joyce, and to their family.

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

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

PROPOSAL NO. 581, 1992. This proposal, sponsored by Councillor Coughenour, concerns William P. Bennett, Jr. Councillor Coughenour read the resolution and stated that a framed document would be presented to Mrs. June Bennett at a later date. Joe Thaxton, Manager

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of General Maintenance of the Belmont plant, was also present. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 581, 1992 was adopted by unanimous voice vote.

Proposal No. 581, 1992 was retitled SPECIAL RESOLUTION NO. 76, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1992

A SPECIAL RESOLUTION remembering William P. Bennett Jr.

WHEREAS, William P. Bennett Jr. was an accomplished engineer who was Vice President and Chief Operating Officer of Control Systems Engineering, Inc; and

WHEREAS, since 1985, he and his private firm did much of the instrumentation for the city's Belmont and Southport Advanced Wastewater Treatment Facilities and for other divisions of the Indianapolis Department of Public Works; and

WHEREAS, he provided technical support for new equipment, helped keep in service old devices that are no longer manufactured and made complex repairs --often at no charge to the city; and

WHEREAS, Mr. Bennett was an experienced pilot, but became a victim in an unfortunate mid-air collision by two airplanes on September 11, 1992; 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 expresses its sincere sorrow at the loss of William P. Bennett Jr.

SECTION 2. The family and firm had earned such a high level of respect by the Indianapolis Department of Public Works that the AWT employees personally donated 26 units of blood to aid Mr. Bennett's daughter Julie Bennett, and employee and friend Mark Doucey who were injured in the plane crash.

SECTION 3. The Council extends its condolences to his wife June and to the family.

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

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

PROPOSAL NO. 575, 1992. This proposal, sponsored by Councillors Beadling and Ruhmkorff, recognizes Hook's Drugs Samaritan Van. Councillor Beadling read the resolution and presented framed documents to Thomas G. Dingley, Assistant Vice President, Public Relations/Sales Promotion, Hook Drugs; Chris Beseler, Vice President, Advertising and Sales Promotions, Hook Drugs; and Rodney Toliver, driver of Hook's Samaritan Van. Mr. Dingley expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 575, 1992 was adopted by unanimous voice vote.

Proposal No. 575, 1992 was retitled SPECIAL RESOLUTION NO. 75, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1992

A SPECIAL RESOLUTION recognizing Hook's Drugs Samaritan Van.

WHEREAS, on May 8, 1992, Hook's Drugs began a free motorist assistance program with a van equipped for road emergencies that travels a circuit in northeast Indianapolis on I-69, I-465 and I-70 during traffic rush hours; and

WHEREAS, the Hook's Samaritan Van is equipped with radios, car phones and scanners for communication; and motorist assistance aids such as jumper cables, blankets, flares, hose repair kits, fan belts, a lock out kit and other tools; and

WHEREAS, the van had 36 assistances during its first day of patrol, and like the Biblical Good Samaritan, the Hook's van has already helped hundreds of motorists who unexpectedly found themselves in trouble while traveling the busy interstates; 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 Hook's Drugs for its emergency van program to help citizens along the interstate highways in a busy portion of Indianapolis.

SECTION 2. The Council especially commends Hook's Drugs President Russell D. Mesalam for instituting the program, and each trained crew member of the Hook's Samaritan Van for their skill, dedication and kindness to motorists in distress.

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.

The President stated that Korean War Memorial Way ceremony was held on October 17, 1992. Vermont Street from Capitol Avenue to Alabama Street is now designated as the "Korean War Memorial Way." He introduced Glen Tabor, Raymond Martin and Marge Gutierrez from the Department of Transportation sign department, who made the Korean War Memorial Way signs.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 540, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code establishing a vendor registration fee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 541, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION establishing petty cash and cash change funds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 542, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing William Simons to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 543, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$100,000 for the Department of Parks, Parks Management Division, to cover overtime costs"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 544, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$500,000 for the Department of Public Safety, Fire Division, to pay salaries for nine ambulance dispatchers and medical bills for in-line-of-duty injuries"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 545, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$17,328 for the County Sheriff to pay the salaries of two additional dispatchers"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 546, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$142,665 of Home Detention User Fees for Community Corrections to cover personnel, equipment and supply costs during the 1992-93 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 547, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by extending the current sewer service and user rates"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 548, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Moss Creek subdivision (District 24)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 549, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Franklin Hills Estate subdivision (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 550, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Southern Lakes subdivision (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 551, 1992. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Moorings subdivision (District 5)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 552, 1992. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Villa Avenue and Walker Avenue (District 21)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 553, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Moller Road and 86th Street (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 554, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Eagle Creek Parkway and 34th Street (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 555, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Olney Street and Tuxedo Lane (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 556, 1992. Introduced by Councillor Moriarty. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Nowland Avenue and Wallace Avenue (District 15)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 557, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at 65th Street and Johnson Road (District 4)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 558, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Keystone Avenue and National Avenue (District 24)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 559, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at East Riverside Drive and 29th Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 560, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting parking restrictions on a segment of Vermont Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 561, 1992. Introduced by Councillors Williams and Moriarty. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Sterling Street and 10th Street (Districts 15, 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 562, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Illinois Street and 14th Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 563, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Pennsylvania Street and 14th Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 564, 1992. Introduced by Councillors Brents and Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for Dr. Martin Luther King, Jr. Street from 10th Street to 29th Street (Districts 9, 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 565, 1992. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing (1) intersection controls at Hampton Drive and Sunset Avenue and (2) parking restrictions for Sunset Avenue on both sides from Hampton Drive to Buckingham Drive (District 6)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 566, 1992. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for segments of College Avenue and Fairfield Avenue (District 6)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 567, 1992. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing speed limits for Sunnyside Road from 63rd Street to 75th Street (District 5)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 568, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a speed limit on Raymond Street from Shelby Street to Meridian Street (Districts 20, 21, 25)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 569, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing bus stop zones for Michigan Street and Meridian Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 570, 1992. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the sale of city or county property to an Indiana not-for-profit corporation"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 576, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$70,000 for the Department of Parks and Recreation, Golf Division, to cover utility and other services costs"; and the President referred it to the Parks and Recreation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 501 and 502, 1992. Councillor Giffin asked for consent to vote on Proposal Nos. 501 and 502, 1992 together. Consent was given. PROPOSAL NO. 501, 1992. The proposal authorizes the amendment of Special Resolution No. 48, 1989, as amended, to extend the expiration date on the Inducement Resolution for Diversified Systems, Inc. to April 30, 1993. PROPOSAL NO. 502, 1992. The proposal authorizes the amendment of Special Resolution No. 76, 1991, as amended, to extend the expiration date on the Inducement Resolution for Allison Gas Turbine Division to April 30, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal Nos. 501 and 502, 1992 on October 15, 1992. By a 5-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Giffin moved, seconded by Councillor Franklin, for adoption. Proposal Nos. 501 and 502, 1992 were adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: *Black, Borst, Coughenour, Golc, Williams*

Proposal No. 501, 1992 was retitled SPECIAL RESOLUTION NO. 77, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1992

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

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-6-11.9 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. 48, 1989 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Diversified Systems, Inc. (the "Company") which Inducement Resolution set an expiration date of October 31, 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 term of the Inducement Resolution; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1992, contained therein and replacing said date with the date of April 30, 1993.

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. 502, 1992 was retitled SPECIAL RESOLUTION NO. 78, 1992 and reads as follows:

CITY COUNTY SPECIAL RESOLUTION NO. 78, 1992

A SPECIAL RESOLUTION amending City-County Special Resolution No. 76, 1991 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 76, 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 pollution control facilities to be developed by Allison Gas Turbine Division (the "Company") which Inducement Resolution set an expiration date of October 31, 1992 unless the pollution

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control revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the term of the Inducement Resolution; and

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1992 contained therein and replacing said date with the date of April 30, 1993.

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

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

PROPOSAL NO. 503, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 503, 1992 on October 15, 1992. The proposal renders advice to the Hospital Authority of Marion County concerning the proposed issuance of \$20,500,000 hospital facilities revenue bonds for Sisters of St. Francis Health Services, Inc. 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 Smith, for adoption. Proposal No. 503, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 503, 1992 was retitled SPECIAL RESOLUTION NO. 79, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 1992

A SPECIAL RESOLUTION rendering advice to the Hospital Authority of Marion County regarding financing for Sisters of St. Francis Health Services, Inc.

WHEREAS, the City-County Council of the City of Indianapolis, Indiana, by City-County General Resolution No. 4, 1979, adopted June 4, 1979, created the Hospital Authority of Marion County (hereinafter "Authority") pursuant to the provisions of the Indiana Hospital Authority Act (IC 1971, 5-1-4-1 et seq. as amended); and

WHEREAS, the Judge of the Circuit Court of Marion County, Indiana, duly appointed directors to the Authority, who, after taking their respective oaths of office and qualifying, held various organizational meetings; and

WHEREAS, the directors of the Authority, pursuant to their By-Laws, adopted Rules of Procedure which provide in part that "Prior to the Authority finally authorizing any bond issue, the Authority will seek an advisory resolution from the Indianapolis City-County Council"; and

WHEREAS, the Authority has investigated a request from Sisters of St. Francis Health Services, Inc. (hereinafter "St. Francis") for the Authority to issue its tax exempt hospital revenue bonds in the principal amount of Twenty Million Five Hundred Thousand Dollars (\$20,500,000) to be used by St. Francis for the proposed project principally consisting of the first phase of the construction, installation and equipping of the new South Campus Ambulatory Services Center of St. Francis Hospital Center (which is owned and operated by the St. Francis) containing approximately 245,000 square feet with approximately 97,000 square feet shelled for future needs to be located on a tract of land containing approximately 40 acres located at the southeast

corner of Stop Eleven Road and Emerson Avenue, Indianapolis, Marion County, Indiana (the "Project"). Clinical services and facilities to be provided in the first phase of the Project include ambulatory surgical services, diagnostic radiology services, oncology services, laboratory services, a women's center and an education/conference center. Additionally, administrative, plant operations and general services will be included in the Center; now, therefore:

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

SECTION 1. It is hereby found that the issuance by the Hospital Authority of Marion County of its tax exempt hospital revenue bonds in the principal amount of Twenty Million Five Hundred Thousand Dollars (\$20,500,000) for St. Francis is for the benefit of the people of Marion County, Indiana, the increase of said people's commerce, welfare and prosperity and the improvement of their health and living conditions; and

SECTION 2. The City-County Council of the City of Indianapolis, Marion County, Indiana, hereby recommends to the Hospital Authority of Marion County, the approval of the foregoing financing; and

SECTION 3. The Clerk of the City-County Council is hereby instructed to transmit a copy of this Special Resolution to the President of the Hospital Authority of Marion County.

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

PROPOSAL NOS. 577-580, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 22, 1992". The Council did not schedule Proposal Nos. 577-580, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 577-580, 1992 were retitled REZONING ORDINANCE NOS. 114-117, 1992 and are identified as follows:

REZONING ORDINANCE NO. 114, 1992. 92-Z-104 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #22.
621-627 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.
THEATER ON THE SQUARE, INC., by Zeff A. Weiss, requests the rezoning of 0.16 acre, being in the I-3-U/RC District, to the CBD-2/RC classification to provide for performing arts theater.

REZONING ORDINANCE NO. 115, 1992. 92-Z-106 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.
3301 and 3302 SOUTH VILLA AVENUE (approximate address), INDIANAPOLIS.
MELODY COMMUNITIES, INC., requests the rezoning of 17.3 acres, being in the D-11 District, to the D-5II classification to provide for residential development.

REZONING ORDINANCE NO. 116, 1992. 92-Z-107 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #07.
2940 EAST 56TH STREET, INDIANAPOLIS.
GREGG and MARTHA HUTCHINSON, by Richard C. Kraege, request the rezoning of 0.5 acre, being in the C-3 District, to the C-1 classification to provide for a day nursery.

REZONING ORDINANCE NO. 117, 1992. 92-Z-118 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.
211 SOUTH RITTER AVENUE (approximate address), INDIANAPOLIS.
LAST IMAGE INC., by Randall K. Fridlund, requests the rezoning of 0.7654 acre, being in the CS District, to the CS classification to provide for a printing contractor and general office uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 530 and 532, 1992. The President stated that these two proposals would be discussed together. PROPOSAL NO. 530, 1992. The proposal recodifies and amends the Code concerning vehicle taxes. PROPOSAL NO. 532, 1992. The proposal authorizes the issuance and sale of bonds of the City for the reconstruction and repair of streets, roads, curbs and sidewalks and appropriates the sum of \$55,000,000 for such purposes. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal Nos. 530 and

532, 1992 on October 20, 1992. By a 6-0 vote, the Committee reported Proposal No. 530, 1992 to the Council with the recommendation that it do pass. By a 6-0 vote, the Committee reported Proposal No. 532, 1992 to the Council with the recommendation that it do pass as amended.

Councillor Howard stated that he does not believe that his district will receive its fair share of repair allocations. He also asked that the Director of Transportation and the Indianapolis Police Department meet and discuss how to keep big semi trucks from parking in inner-city neighborhoods.

The President called for public testimony on Proposal No. 530, 1992 at 8:06 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Rhodes, for adoption. Proposal No. 530, 1992 was adopted on the following roll call vote; viz:

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

Councillor Rhodes stated that he will abstain from voting on Proposal Nos. 530, 531 and 532, 1992 due to a potential conflict of interest.

Proposal No. 530, 1992 was retitled GENERAL ORDINANCE NO. 112, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1992

A GENERAL ORDINANCE recodifying and amending Secs. 2-471, 2-472, 2-473 and 2-474 of the Code concerning vehicle taxes.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Article V in Chapter 121 (which is a revision and recodification of Chapter 2, Division 3, of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

ARTICLE V. VEHICLE TAXES

Sec. ~~2-471~~ 121-501. Excise surtax.

All passenger cars, trucks of less than eleven thousand (11,000) pounds gross vehicle weight and motorcycles registered in Marion County, that are now subject to an excise tax (in lieu of a property tax) shall also be subject to an annual excise surtax of ten (10) per cent to be paid with the registration of said motor vehicles; however, the annual surtax on a vehicle may not be less than seven dollars and fifty cents (\$7.50).

Sec. ~~2-472~~ 121-502. Wheel Tax.

(a) All of the following six (6) classes of motor vehicles, registered in Marion County, shall be subject to an annual wheel tax as set out in the following schedule, to be paid with the registration of said motor vehicles.

Motor Vehicle Classification	Annual Wheel Tax
(1) Buses	40.00
(2) Recreational vehicles	20.00
(3) Semitrailers	10.00
(4) Tractors	30.00
(5) Trailers	10.00
(6) Trucks	40.00

(b) As provided by IC 6-3.5-5-4, the following motor vehicles are exempt from the annual wheel tax:

- (1) Vehicles owned by the state, a state agency or a political subdivision;
- (2) Buses owned and operated by a religious or nonprofit youth organization and used to haul persons to religious services or for the benefit of their members;
- (3) Vehicles subject to the annual excise surtax.

Sec. ~~2-473~~ 121-503. Distribution of tax revenue.

All of the excise surtax and wheel tax collected on motor vehicles registered in Marion County shall be distributed as provided in IC 6-3.5-5-14 and IC 6-3.5-4-12, and shall be used only to construct, reconstruct, or repair curbs, sidewalks, streets and roads under its jurisdiction.

Sec. ~~2-474~~ 121-504. Sunset provision.

The taxes imposed by sections 2-471 and 2-472 shall not be imposed after January 1, ~~1998~~ 2011, unless readopted by this council. This section is expressly declared severable; and should any court declare this section invalid, the balance of this division shall be effective notwithstanding the invalidity of this section.

SECTION 2. Secs. 2-471, 2-472, 2-473 and 2-474 of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

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

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

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

The President called for public testimony on Proposal No. 532, 1992 at 8:15 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Gilmer, for adoption. Proposal No. 532, 1992 was adopted on the following roll call vote; viz:

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

2 NAYS: *Jimison, Williams*

2 NOT VOTING: *Rhodes, Smith*

Proposal No. 532, 1992 was retitled SPECIAL ORDINANCE NO. 15, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1992

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the "City") and the County of Marion, Indiana (the "County"), authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of streets, roads, curbs and sidewalks within the City's jurisdiction, including all expenses in connection with or on account of the issuance of bonds therefor, and appropriating the sum of Fifty Five Million Dollars (\$55,000,000) for such purposes.

WHEREAS, the Board of Transportation of the City of Indianapolis, Indiana, has found that it would be in the best interest of the City and its citizens to provide for the construction, reconstruction and repair of roads, streets, curbs and sidewalks located within the City's jurisdiction, including, where necessary, the cost of acquiring land or rights-of-way for such purposes (the "Projects"), at an estimated total cost of Fifty Five Million

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Dollars (\$55,000,000), including all expenses necessary and incidental thereto and including all expenses in connection with or on account of the issuance of bonds therefor; and

WHEREAS, the costs of the project necessitate a further appropriation, and a request for such appropriation in an amount not to exceed Fifty Five Million Dollars (\$55,000,000) for these purposes has been filed, which request has been approved by the Controller with the recommendation that the total funds necessary to cover the appropriation be obtained by the issuance and sale of revenue bonds of the City; and

WHEREAS, this City-County Council did not include the proceeds of said bonds of the City in the regular budget; and

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the cost of construction, reconstruction and repair of roads, streets, curbs and sidewalks located within the City's jurisdiction, and the issuance of said bonds designated "City of Indianapolis Transportation Revenue Bonds Series 1992" has been authorized to procure the necessary funds and an extraordinary emergency and necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, the Clerk of this City-County Council has caused notice of a hearing on said appropriation to be published as required by law; and

WHEREAS, such public hearing on said appropriation was held at the meeting of this City-County Council on October 26, 1992, at 7:00 p.m. E.S.T. in the Public Assembly Room, on the Second Floor of the City-County Building, Indianapolis, Indiana, at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the City, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds (as hereinafter defined) in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell the bonds to the Bond Bank in a negotiated sale; and

WHEREAS, the City-County Council now finds that the Projects are necessary and will be of general benefit to the City of Indianapolis, Indiana, and its citizens; now, therefore:

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

SECTION 1. The City shall proceed with the Projects, including all expenses in connection with or on account of the issuance of bonds therefor.

SECTION 2. For the purpose of procuring funds to pay for the Projects, including all expenses in connection with or on account of the issuance of bonds therefor, the City shall enter into a loan in an amount not to exceed Fifty Five Million Dollars (\$55,000,000).

In order to procure the funds for said loan, the Controller of the City is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank the revenue bonds of the City, which bonds of the City shall be designated as "City of Indianapolis Transportation Revenue Bonds, Series 1992", in an amount not to exceed Fifty Five Million Dollars (\$55,000,000) (the "Bonds"). The Bonds shall be issued pursuant to a trust indenture similar in form and substance to the Trust Indenture attached hereto as Appendix 1 (the "Indenture").

The Bonds shall have a final maturity no later than January 1, 2011, in amounts negotiated with the Bond Bank, shall have a net interest cost which does not exceed seven percent (7%), shall be sold at par or with an original issue discount which does not exceed forty percent (40%), shall be in a form similar in substance and content to the forms of the Bonds contained in the Trust Indenture and shall be secured by the irrevocable pledge of the Revenues (as defined in the Indenture).

The Bonds or a portion thereof may be redeemable prior to maturity at a premium not to exceed one hundred three percent (103%) upon terms and conditions as are further detailed through negotiation with the Bond Bank by the Controller of the City (the "Controller") and the Mayor of the City (the "Mayor") consistent with the best interest of the City and the terms of this Ordinance. Bonds redeemed in part may be exchanged for a Bond or Bonds of the same maturity in authorized denominations equal to the remaining principal amount.

SECTION 3. The Clerk of the City-County Council (the "Clerk") shall cause to be posted and published notice of the decision to issue bonds. The Clerk is hereby directed to deliver a certified copy of this Ordinance to the Controller.

SECTION 4. The Controller and the Mayor are hereby authorized and directed to sell the Bonds issued pursuant to the Indenture to the Bond Bank at a negotiated sale.

Prior to delivery of the Bonds, the Controller shall obtain a legal opinion as to the validity of the Bonds and shall furnish such opinion addressed to the Bond Bank. The cost of said opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the Bonds or the bonds issued by the Bond Bank.

SECTION 5. The City-County Council hereby authorizes and directs the Mayor, the Controller, the Clerk, the Treasurer of the County, ex-officio Treasurer of the City, the Director of the Department of Transportation of the City or any other officer of the City and each of them, for and on behalf of the City, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as the official executing the same determines is necessary or appropriate to consummate the transactions contemplated by this Ordinance, and such determination shall be conclusively evidenced by the execution thereof. The Indenture, the Bond Purchase Agreement and the Bonds contemplated by this Ordinance shall, upon execution, as contemplated herein, constitute the valid, legal and binding obligations of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 6. The City-County Council hereby approves the Indenture, the forms of Bonds contained therein and the Bond Purchase Agreement by which the Bonds are to be sold to the Bond Bank in the form attached hereto as Appendix 2 and the Mayor is hereby authorized and directed to execute, and the Clerk is hereby authorized and directed to attest and affix the seal of the City to, the Indenture, the Bonds in the forms attached to the Indenture as Exhibits A and B and the Bond Purchase Agreement with such changes and revisions thereto as they deem necessary or appropriate to consummate the transaction contemplated hereby if such changes do not increase the interest rates, principal amount or discount in excess of that authorized in Section 2 or increase the security or revenues pledged in the Indenture as attached hereto, and such execution and attestation shall be conclusive evidence of their approval of such changes and revisions. The Indenture, the Bonds and the Bond Purchase Agreement in the forms executed shall constitute the valid, legal and binding agreements of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 7. The Mayor is hereby authorized to execute the Bonds with his manual or facsimile signature, and the Clerk is hereby authorized to attest the Bonds with her manual or facsimile signature, and cause the seal of the City to be impressed or a facsimile thereof to be printed on the Bonds, all in the form and manner herein provided. Upon the consummation of the sale of the Bonds, the Controller and the Treasurer of the County, ex-officio Treasurer of the City, shall be authorized to receive from the Bond Bank the amount to be paid for the Bonds and deliver the Bonds to the Bond Bank in the manner provided by law.

SECTION 8. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the County, to prepare, execute and deliver any and all instruments, letters, certificates, agreements or documents as the officer executing the same determines are necessary or appropriate to effect this pledge of the Revenues (as defined in the Indenture) and to consummate the transactions described in this Ordinance and the Appendices hereto, such determination to be conclusively evidenced by such officer's execution thereof.

SECTION 9. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the County, to take any actions as such officer determines is necessary or appropriate to consummate the transactions contemplated by or to accomplish the purposes of this Special Ordinance, such determination to be conclusively evidenced by such officer's taking of such action.

SECTION 10. After passage and upon execution of the Bond Purchase Agreement by the Mayor and attestation by the City Clerk, this Special Ordinance shall be irrevocable and shall not be amended until all the Bonds, including Additional Bonds (as defined in the Indenture) have been paid in full or are deemed no longer outstanding in accordance with the provisions of said Indenture.

SECTION 11. The proceeds derived from the sale of the Bonds herein authorized to be issued and all investment earnings thereon shall be, and they hereby are, appropriated by the City-County Council for the purpose of procuring funds to pay for the construction, reconstruction and rehabilitation of roads, streets, curbs and sidewalks located within the City's jurisdiction, including, where necessary, the cost of acquiring land or rights-of-way for such purposes, including all expenses in connection with or on account of the issuance of bonds thereof.

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SECTION 12. Such appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the activities described in Section 11 above. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

SECTION 13. The Clerk of the City-County Council is hereby authorized and directed to certify a copy of this Special Ordinance together with such other proceedings and actions as may be necessary to the Marion County Auditor for certification to the State Board of Tax Commissioners for the purpose of complying with IC 6-1.1-18-5.

SECTION 14. This Special Ordinance shall rescind and repeal any portions of any special ordinances or general ordinances of the City or County which conflict with the terms hereof if the conflict would have a material adverse impact on the Bonds, the security for the Bonds or the Indenture.

SECTION 15. This Ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

TRUST INDENTURE
BETWEEN
CITY OF INDIANAPOLIS
AND
_____, TRUSTEE

THIS TRUST INDENTURE ("Indenture") dated as of the ___ day of _____, 1992, between the CITY OF INDIANAPOLIS (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana (the "State"), and _____, a banking association duly organized and existing under the laws of _____ and being duly qualified to accept and administer the trusts hereby created and having its principal place of business in the City of Indianapolis, Indiana ("Trustee"),

W I T N E S S E T H:

WHEREAS, the City is authorized by Indiana Code 36-1-4-9 and 6-1.1-20-2, to borrow money and issue bonds;

WHEREAS, the City has determined, and does hereby find, that borrowing the Loan Amount (as defined herein) to finance the costs of the Projects (as defined herein), and the issuance of its Bond (as defined herein) to secure the repayment of the Loan Amount are necessary for the public good;

WHEREAS, the City has by ordinance authorized the issuance of the Bond, and, in order to provide terms for the Bonds and to secure the Bonds and to provide for their authentication and delivery by the Trustee, the City has duly authorized the execution and delivery of this Indenture; and

WHEREAS, the City will through its Department of Transportation use the proceeds from the sale of the Bond for the purposes of constructing, reconstructing and repairing streets, roads, curbs and sidewalks under the City's jurisdiction; and

WHEREAS, pursuant to IC 6-3.5-4, et seq. (the "Motor Vehicle Excise Tax Act") and IC 6-3.5-5, et seq. (the "Wheel Tax Act") (collectively, the "Wheel Tax Act"), the City receives each month a distribution from the County Treasurer of Marion County of the proceeds of the Wheel Tax Act (the "Wheel Tax Distributions"); and

WHEREAS, the City has herein irrevocably pledged all the Wheel Tax Distributions to secure the Bond; and

WHEREAS, pursuant to IC 8-14-1, et seq. (the "Motor Vehicle Highway Account") and 8-14-2-4 (the "Local Road and Street Account") (collectively, the "Motor Fuel Tax Act") the City and the County receive from the State Auditor monthly distributions of the proceeds of the Motor Fuel Tax Act (the "Motor Fuel Tax Distributions"); and

WHEREAS, the City has herein irrevocably pledged all the Motor Fuel Tax Distributions to secure the Bond; and

WHEREAS, all things have been duly authorized and done by the City which are necessary to make the Bond, when executed by the City and authenticated and delivered by the Trustee hereunder, the legal, valid and binding obligation of the City, and to constitute this Indenture a legal, valid and binding trust indenture securing the payment of principal of, premium, if any, and interest on the Bonds and a contract to secure the Bonds, all in accordance with the terms of the Bond and this Indenture;

THIS INDENTURE WITNESSETH, the City, in consideration of the premises and of the mutual covenants herein contained; and of the purchase and acceptance of the Bond by its Owner (as defined herein), and for

the purpose of fixing and declaring the terms and conditions upon which the Bond is to be issued, authenticated, delivered, secured and accepted by all persons who shall from time to time be or become Owners, in order to secure the payment of all Bonds at any time issued and outstanding hereunder and the interest thereon according to their tenor, purpose and effect, and in order to secure the performance and observance of all of the covenants, agreements and conditions therein and herein contained, has executed and delivered this Indenture and has pledged and by these presents does hereby pledge, grant a security interest in and assign to the Trustee and its successors in trust and assigns forever, the Revenues (as defined herein), the Accounts established by Article IV and the earnings thereon except the Rebate Account (as defined herein), (such Accounts to be used as stated in this Indenture), and any and all other property that may from time to time by delivery or writing be subjected to the lien of this Indenture as security for the payment of the principal of, premium, if any, and interest on the Bonds and as security for the satisfaction of any other obligation assumed by it in this Indenture in connection with such Bonds to be effective without the recording of this Indenture or any other instrument; and it is mutually agreed and covenanted by and between the parties hereto for the equal and proportionate benefit and security of all and singular the present and future Owners of the Bonds issued and to be issued under this Indenture, without preference, priority or distinction as to lien or otherwise, except as hereinafter otherwise provided, of any one Bond over any other Bond by reason of priority in the issuance, sale or negotiation thereof or otherwise.

TO HAVE AND TO HOLD all said property of every kind and description, real, personal, or mixed, hereby and hereafter (by supplemental indenture or otherwise) granted, bargained, sold, liened, conveyed, assigned, transferred, pledged, set over, or confirmed as aforesaid, or intended, agreed, or covenanted so to be, together with all the appurtenances thereto (said properties including any cash and securities hereafter deposited or required to be deposited with the Trustee being herein collectively referred to as the "Trust Estate") unto the Trustee and its successors and assigns forever;

UPON CONDITION that, if the City, its successors or assigns, shall well and truly pay, or cause to be paid, the principal of, premium, if any, and interest on the Outstanding Bonds according to the true intent and meaning thereof, or there shall be deposited with the Trustee such amounts in such form and in order that none of the Bonds shall remain Outstanding, and shall pay or cause to be paid to the Trustee all sums of money due or to become due to it in accordance with the terms and provisions hereof, then upon the full and final payment of all such sums and amounts secured hereby or upon such deposit, this Indenture and the rights, titles, liens, security interests, and assignments herein granted shall cease, determine, and be void and this Indenture shall be released by the Trustee in due form at the expense of the City, except only as herein provided; otherwise this Indenture to be and remain in full force and effect;

AND IT IS HEREBY COVENANTED AND DECLARED that all the Bonds are to be authenticated and delivered by the Registrar and Paying Agent (hereinafter defined) and the Trust Estate is to be held and applied by the Trustee, subject to the further covenants, conditions, and trusts hereinafter set forth, and the City does hereby covenant and agree, for the equal and proportionate benefit of the Bonds except as herein otherwise expressly provided, as follows:

ARTICLE I
DEFINITIONS AND OTHER PROVISIONS
OF GENERAL APPLICATION

Section 1.01. Definitions. In addition to words and terms elsewhere defined in this Indenture, the following words and terms as used in this Indenture and in the Bonds shall have the following meanings unless some other meaning is plainly intended:

"Accounts" means the accounts (including any subaccounts therein) created pursuant to Article IV hereof.

"Act" means Indiana Code 36-3-1 et seq. as amended from time to time.

"Act of an Owner" when used with respect to any Owner or Owners of Bonds has the meaning stated in Section 1.03 hereof.

"Additional Bonds" means obligations of the City issued pursuant to Section 2.13 hereof.

"Additional Bonds Test" means the test so described in Section 2.13 hereof.

"Authorized Officer" means as to City, the person acting as the chief executive officer or the Controller of City, or any person duly appointed to act in such officer's place and stead, and as to the Trustee, any Vice President or Trust Officer.

"Bond" means the Series 1992 Bond.

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"Bond Bank" means the Indianapolis Local Public Improvement Bond Bank, a body corporate and politic separate from the City in its corporate capacity existing pursuant to the laws of the State and its successors and assigns.

"Bond Bank Bonds" means the Indianapolis Public Improvement Bond Bank Transportation Revenue Bonds, Series 1992C.

"Bond Bank Indenture" means the Trust Indenture dated _____ between the Bond Bank and _____, as Trustee.

"Bond Documents" means any or all of the following as the context may require, the Bond, this Indenture and the Bond Purchase Agreement.

"Bond Ordinance" means City-County Special Ordinance No. ____, adopted _____, 1992, and authorizing the issuance of the Bond.

"Bond Payments" means payments of the principal of, premium, if any, and interest on the Bonds pursuant to its terms and the terms of this Indenture.

"Bond Purchase Agreement" means a certain Bond Purchase Agreement between the City and the Bond Bank dated as of _____, 1992.

"Bond Register" shall have the meaning stated in Section 2.18 hereof.

"Bond Year" means a 12-month period commencing on _____ of each calendar year and ending on _____ of that calendar year.

"Bonds" means the Series 1992 Bond and any Additional Bonds authenticated and delivered pursuant to this Indenture where the context so requires.

"Business Day" means any day other than a Saturday, Sunday, or legal holiday on which banking institutions in either Indianapolis, Indiana, or New York, New York, are authorized or required by law to close or on which the New York Stock Exchange is authorized or required by law to close.

"City" means the City of Indianapolis, a consolidated city of the first class organized and existing pursuant to the laws of the State, particularly the Act, and its successors and assigns.

"Code" means the Internal Revenue Code of 1986, as amended from time to time, and the regulations from time to time promulgated or proposed thereunder.

"Construction Account" means the Account by that name created by Article IV hereof.

"Cost of Issuance Account" means the Account by that name created by Article IV hereof.

"County" means Marion County, Indiana.

"County Treasurer" means the Treasurer of the County.

"Event of Default" has the meaning stated in Article VII hereof.

"Government Obligations" means (a) direct obligations of the United States of America; (b) obligations guaranteed as to principal and interest by the United States of America or any federal agency whose obligations are backed by the full faith and credit of the United States of America, including but not limited to: Department of Housing and Urban Development, Export-Import Bank, Farmers Home Administration, Federal Financing Bank, Federal Housing Administration, Maritime Administration, Small Business Administration, which obligations include but are not limited to certificates or receipts representing direct ownership of future interest or principal payments on obligations described in clause (a) or in this clause (b) and which are held by a custodian in safekeeping on behalf of the holders of such receipts; (c) securities evidencing ownership interests in open-end management type investment companies or investment trusts registered under the Investment Company Act of 1940, as amended, whose investments are limited to the obligations described in clauses (a) and (b) and to repurchase agreements fully collateralized by such obligations; and (d) obligations of any state of the United States or any political subdivision thereof, the full payment of principal of, premium, if any, and interest on which (i) is unconditionally guaranteed or insured by the United States of America, or (ii) is provided for by an irrevocable deposit of the securities described in clause (i) to the extent such investments are permitted by law.

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"Holder" when used with respect to any Bonds means the registered owner of Bonds. "Bondholder" means a Holder of a Bond.

"Indenture" means this instrument as originally executed, including the Exhibits hereto, or as the same may from time to time be supplemented, modified, or amended by one or more Supplemental Indentures entered into pursuant to the applicable provisions hereof.

"Interest Payment Date" means each ____ and ____ beginning ____, 19__.

"Investment Agreement" means any agreement providing for the investment of moneys held by the Trustee on behalf of the City under certain Accounts.

"Investment Securities" means any of the following to the extent such investments are permitted by law: (a) Government Obligations; (b) certificates of deposit fully and promptly secured at all times by Government Obligations; provided, that such certificates are with commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13; (c) certificates of deposit, savings accounts, deposit accounts or depository receipts of commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13, and which are fully insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration; (d) bankers acceptances of commercial banks, savings and loan associations or mutual savings banks, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13, and which mature not more than one (1) year after the date of purchase; provided such commercial banks, savings and loan associations, or mutual savings banks (as opposed to their holdings companies) must be rated for unsecured debt at the time of purchase of the investments at least in the two highest rating categories by every Rating Agency which maintains a rating on the Bonds; (e) investment agreements issued by entities rated in the two full highest categories by a nationally recognized rating agency at the time of execution; (f) shares of mutual funds that invest only in Government Obligations that are rated in the highest category by every Rating Agency which maintains a rating on the Bonds; and (g) the Investment Agreement or a replacement investment agreement issued by a provider with at least a minimum "A" rating by every rating agency that maintains a rating on the Bonds.

"Loan Amount" means \$ _____.

"Maturity" when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein or herein provided, whether at the stated maturity, by declaration of acceleration or call for redemption or otherwise.

"Officer's Certificate" means a certificate executed by an Authorized Officer.

"Opinion of Counsel" means an opinion of nationally recognized bond counsel or counsel to the City, as specified herein.

"Outstanding" when used with respect to Bonds means, as of the date of determination, all Bonds theretofore authenticated and delivered under this Indenture, except:

- (A) Bonds theretofore delivered to the Trustee for cancellation and cancelled by the Trustee;
- (B) Bonds for the payment or redemption of which money in the necessary amount has been theretofore deposited with the Trustee in trust for the Owners of such Bonds, provided that, if such Bonds are to be redeemed, notice of such redemption has been duly given pursuant to this Indenture, or waived, or provision therefor satisfactory to the Trustee has been made;
- (C) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered under this Indenture;
- (D) Bonds alleged to have been mutilated, destroyed, lost, or stolen which have been paid or replaced as provided in Section 2.14; and
- (E) Bonds for the payment of the principal of, premium, if any, and interest on which money or Government Obligations or both are held by the Trustee or an escrow agent with the effect specified in Article X.

"Owner", when used with respect to any Bond, means the person in whose name such Bond is registered in the Bond Register.

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"Paying Agent" and "Registrar" means the Trustee or any other entity so designated in writing pursuant to the terms hereof.

"Projects" means generally the construction, reconstruction, and repair of streets, roads, curbs and sidewalks located within the City.

"Rating Agency" means Fitch, Moody's Investor's Service, Inc. or Standard & Poor's Corporation. Rating Agency also means any nationally recognized securities rating organization other than Fitch, Moody's Investor's Service, Inc. or Standard & Poor's Corporation designated by the City by notice to the Trustee.

"Rebate Account" means the Account by that name created by Article IV hereof.

"Rebate Certificate" means the City Transportation Revenue Bonds, Series 1992 Rebate Certificate dated as of _____, 1992.

"Record Date" means the fifteenth day of the month prior to any Interest Payment Date.

"Revenues" means all Wheel Tax Distributions received by the City and ninety percent (90%) of all Motor Fuel Tax Distributions received by the City or the County.

"Serial Bonds" means Bonds which mature in annual or semi-annual installments of principal (which need not be equal) and not pursuant to Sinking Fund Installments.

"Series" means a series of Bonds authorized by this Indenture or any Supplemental Indenture.

"Series 1992 Bond" means the City of Indianapolis Transportation Revenue Bonds, Series 1992 authorized by Section 2.01 hereof.

"Supplemental Indenture" means an indenture of the City entered into in accordance with the terms and provisions of Article IX of this Indenture.

"State" means the State of Indiana.

"Trustee" means the person or entity named as the Trustee in Section 6.01 of this instrument until a successor Trustee shall have become such pursuant to the applicable provisions of this Indenture, and, thereafter, Trustee means such successor Trustee.

"Trust Estate" has the meaning stated in the Granting Clauses hereof.

Section 1.02 Interpretation. (A) In this Indenture, unless the context otherwise requires:

- (1) the terms "hereby", "hereof", "hereto", "herein", "hereunder" and any similar terms, as used in this Indenture, refer to this Indenture, and the term "heretofore" means before, and the term "hereafter" means after, the date of adoption of this Indenture;
- (2) words of the masculine gender mean and include correlative words of the feminine and neuter genders and words importing the singular number mean and include the plural number and vice versa;
- (3) words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;
- (4) any headings preceding the texts of the several Articles and Sections of this Indenture, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Indenture, nor shall they affect its meaning, construction or effect;
- (5) this Indenture shall be governed by and construed in accordance with the applicable laws of the State;
- (6) references to the payment of the Bonds shall be deemed to include references to the payment of interest accrued thereon until the maturity date or the redemption date;
- (7) any reference in this Indenture to principal or interest on Bonds which is payable on a certain date or during a certain period is reference to an amount payable on such date (including the applicable premium, if any, with respect to any Bond which has been called for redemption) or during such period and does not include the obligation to pay any principal or interest after such date or period.

(B) Nothing in this Indenture expressed or implied is intended or shall be construed to confer upon, or to give to, any person, other than the City, the Trustee and the Owners of the Bonds, any right, remedy or claim under or by reason of this Indenture or any covenant, condition or stipulation hereof.

(C) If any one or more of the covenants or agreements provided herein on the part of the City or Trustee to be performed should be contrary to law, then such covenant or agreement shall be deemed separable from the remaining covenants and agreements hereof and shall in no way affect the validity of the other provisions of this Indenture or of the Bonds.

Section 1.03. Acts of Owners. (A) Any request, demand, authorization, direction, notice, consent, waiver, or other action provided by this Indenture to be given or taken by Owners may be embodied in and evidenced by one or more instruments of substantially similar tenor signed by such Owners in person or by an agent duly appointed in writing, and, except as herein otherwise expressly provided, such action shall become effective when such instrument or instruments are delivered to the Trustee and, if hereby expressly required, to the City. Such instrument or instruments and the action embodied therein and evidenced thereby are herein sometimes referred to as the Act of an Owner signing such instrument or instruments. Proof of execution of any such instrument or of writing appointing any such agent shall be sufficient for any purpose of this Indenture and conclusive if made in the manner provided in this Section.

(B) The fact and date of the execution by any person of any such instrument or writing shall be provided by the affidavit of a witness of such execution or by the certificate of any notary public or other officer authorized by law to take acknowledgments of deeds, certifying that the individual signing such instrument or writing acknowledged to him the execution thereof. Whenever such execution is by an officer of a corporation or a member of a partnership on behalf of such corporation or partnership, such certificate or affidavit shall also constitute sufficient proof of his authority.

(C) The ownership of Bonds shall be proved by the Bond Register.

(D) Any request, demand, authorization, direction, notice, consent, waiver, or other action by the Owner of any Bond shall bind every future Owner of the same Bond and the Owner of every Bond issued upon the transfer thereof, or in exchange therefor or in lieu thereof, in respect of anything done or suffered to be done by the Trustee or the City in reliance thereon, whether or not notation of such action is made upon such Bond.

Section 1.04. Exhibits. All exhibits to this Indenture, either as originally existing or as the same may from time to time be supplemented, modified or amended, are incorporated herein by this reference. Exhibits attached hereto are:

Exhibit A Form of Bond

(End of Article I)

ARTICLE II
TERMS AND PROVISIONS OF THE ISSUANCE OF THE BONDS

Section 2.01. Principal Amount, Designation and Series. The Bond shall be designated as the City of Indianapolis Transportation Revenue Bond, Series 1992 in the principal amount of \$_____, fully registered in accordance with Section 2.18 hereof and issued as a single typewritten bond in the form attached hereto as Exhibit A.

Section 2.02. Purpose. The Bond is being issued to provide funds for deposit in the Accounts established pursuant to this Indenture in order to make funds available to pay the costs of construction of the Projects and related expenditures incident thereto including the costs of issuing the Bonds.

Section 2.03. Issue Date. The issue date of the Bond is the ___ day of _____, 1992.

Section 2.04. Maturities and Interest Rates. (A) The Bond shall mature in the amounts and on the dates set forth below, and shall bear interest payable semi-annually on _____ 1 and _____ 1 of each year beginning _____ 1, ____ at the following per annum interest rates:*

Maturity Dates	Amount	Rate
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*or in such other amounts and at such other times as is necessary to match the maturities and amounts of the Bond Bank Bonds.

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Section 2.05. Registrar and Paying Agent. The Trustee is hereby appointed the Registrar and Paying Agent for the Bonds.

Section 2.06. Sale of Bond. The Bond shall be sold in accordance with the Bond Purchase Agreement therefor, at such price, in such manner and on the terms and conditions and upon the basis of the representations set forth therein.

Section 2.07. Delivery. After its execution as herein provided, the Bond shall be authenticated by the Trustee and shall be delivered to the purchaser thereof in accordance with the Bond Purchase Agreement.

Section 2.08. Payment of Principal and Interest on the Bond. Interest on the Bond may be paid by or on behalf of the City by a transfer of funds from the Revenue Account on the Interest Payment Date to the Owner thereof as determined by reference to the name and address on the Bond Register on the Record Date. Interest shall be calculated on the basis of a 360-day year and a 30-day month. Principal of and premium, if any, on the Bond shall be paid upon presentation and surrender of the Bonds at the principal corporate trust office of the Registrar and Paying Agent.

Section 2.09. Source of Payment of Bonds. The Bonds and all payments by the City hereunder are limited obligations of the City and are payable solely out of the Trust Estate or other moneys provided for such purpose by the City as authorized by the Constitution and laws of the State.

Section 2.10. Execution. The Bonds shall be executed in the name of the City by the manual or facsimile signature of its Mayor, shall have impressed or imprinted thereon the official seal of the City or a reproduced facsimile thereof and shall be attested by the manual or facsimile signature of the City Clerk. In case any officer of the City who shall have signed or sealed any Bond shall cease to be such officer before such Bond shall have actually been authenticated by the Trustee or delivered and issued, such Bond may be authenticated, delivered and issued with the same effect as though the person who had signed and sealed such Bond had not ceased to be an officer of the City.

Section 2.11. Authentication. Only Bonds authenticated by the endorsement thereon of a certificate of authentication manually executed by an Authorized Officer of the Trustee, shall be valid for any purpose, or be secured by this Indenture, or be entitled to any benefit hereunder; and every certificate of the Trustee upon any Bond purporting to be secured hereby shall be conclusive evidence that such Bond so authenticated has been duly authenticated and delivered hereunder.

Section 2.12. Delivery. The Bond shall be delivered upon the written request of the City to the Bond Bank and upon receipt by the Trustee of the purchase price thereof as set out in the Bond Purchase Agreement and receipt by the Trustee of the following items:

(A) A Bond Ordinance of the City authorizing the execution and delivery of the Bond Documents, the authentication and delivery of the Bond and the lending of the proceeds thereof to the Department of Transportation pursuant to the Ordinance.

(B) An Opinion of Counsel stating that the Bond, when executed by the City and authenticated and delivered by the Trustee, will be the legal, valid, and binding obligation of the City entitled to the benefits of and secured by the lien of this Indenture equally and ratably.

(C) An Officer's Certificate of the City dated the date of the authentication and delivery of the Bonds and stating that, if the Bond was then Outstanding, no Event of Default would exist and that the conditions precedent provided for in this Indenture relating to the authentication and delivery of the Bond have been complied with.

(D) An executed copy of this Indenture.

Provided that the Trustee shall have no duty to inquire into the accuracy, completeness, or validity of any of the foregoing. The Trustee shall disburse the amounts received as provided in Article IV upon delivery of the Bond.

Section 2.13. Additional Bonds. (A) One or more Series of bonds in addition to the Bond (herein referred to as "Additional Bonds") may be authenticated and delivered from time to time for the purpose or purposes of financing additional Projects or for the purpose of refunding all or a portion of the Outstanding Bonds. Additional Bonds may only be issued as provided in this section.

(B) Prior to the authentication and delivery of Additional Bonds, the Trustee shall receive:

(1) The written request required by Section 2.12 hereof;

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- (2) A Supplemental Indenture executed by the City and the Trustee authorizing the issuance of such Additional Bonds, specifying the terms thereof, and providing for the disposition of the proceeds of the sale of the Additional Bonds; and
- (3) The purchase price for the Additional Bonds;
- (4) An Officer's Certificate of the City certifying that the Additional Bonds Test set forth in Section 2.13(C) or 2.13(D) hereof have been met.
- (5) An opinion of nationally recognized bond counsel to the effect that the issuance and sale of Additional Bonds will not result in loss of the exclusion of the interest on the Bonds and any Outstanding Additional Bonds from gross income of the Holders for federal income tax purposes.

(C) No Additional Bonds may be issued hereunder unless the conditions set forth in this Section 2.13(C) or in Section 2.13(D) are met:

- (1) There is no default existing in Bond Payments;
- (2) All deposits required to be made to the Revenue Account have been made;
- (3) The sub-accounts in the Debt Service Reserve Account associated with each Series of Bonds contain moneys equal to the Debt Service Reserve Requirement.
- (4) On the date the contract is made to sell such Additional Bonds, the total amount of the Revenues shall equal or exceed two times the maximum annual debt service requirements for all Bonds to be outstanding following the issuance of the Additional Bonds. For purposes of this subsection, Revenues shall be equal to the amount of such moneys received by the City and the County and from the Motor Fuel Tax Distributions by the City and from the Wheel Tax Distributions in the immediately preceding twelve (12) calendar months for which information is available. The amount of such Revenues shall be certified by an Authorized Officer of the City. The maximum annual debt service requirements for the purposes of this subsection shall be the maximum amount required to be deposited in the Revenue Account in the Bond Year of the calculation or any subsequent Bond Year. With respect to Bonds which will bear interest at variable rates, the deposits for purposes of this subsection shall be calculated with respect to interest as if the Bonds would bear interest at the lower of (i) the maximum rate which those Bonds may bear pursuant to law or (ii) the rate set forth in the applicable Supplement Indenture; provided, however, that Additional Bonds bearing interest at variable rates may be issued only if evidence is provided in writing to the Trustee that any rating assigned to the Outstanding Bonds by any Rating Agencies will not be downgraded as a result of the issuance of such Additional Bonds. With respect to Bonds for which there is a mandatory redemption or similar requirement which is provided to be paid through a Credit Support Instrument, the deposits shall be calculated in respect of principal on the basis of scheduled payments of principal (at maturity or pursuant to Sinking Funds Installments) and not pursuant to the redemption or similar requirements provided so to be paid through such an Instrument.

(D) Notwithstanding any other provision of this Section, the City may issue Additional Bonds (i) to pay, purchase, redeem or refund Bonds if there will be in the judgment of City no money available to make payments of interest on or principal of those Bonds (at maturity or on Sinking Fund Installment dates or pursuant to other mandatory redemption or purchase obligations) as such amounts come due; (ii) to pay, purchase, redeem or refund any Bonds if the total amount of the required deposits in the Revenue Account with respect to all Bonds after the issuance of the Additional Bonds will be not in excess of such required deposits for all Bonds Outstanding prior to the issuance of those Additional Bonds in each Bond Year in which any of those Bonds Outstanding prior to the issuance are to remain outstanding.

(E) Any Additional Bonds issued in accordance with the terms and conditions of this section shall be secured by this Indenture and shall be equally and ratably payable from the but such Additional Bonds shall bear such date or dates, such interest rate or rates and have such maturities, redemption dates, denominations and premiums as may be agreed upon between the City and the Bond Bank.

Section 2.14. Mutilated, Lost, Stolen or Destroyed Bonds. In case any temporary or definitive Bond issued hereunder shall become mutilated, lost, stolen or destroyed, the City, in its discretion, may execute, and the Registrar and Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, amount, maturity and date, and bearing the same or a different number in exchange and substitution for and upon the cancellation of the mutilated Bond, or in lieu of and substitution for such lost, stolen or destroyed Bond. If any such Bond shall have matured or shall be about to mature, the City may pay such Bond without surrender thereof. In every case, the applicant shall furnish evidence satisfactory to the Trustee and the Registrar and Paying Agent of the destruction, theft or loss of such Bond and indemnity satisfactory to the Trustee and the Registrar and Paying

Agent. The Registrar and Paying Agent may charge for the issuance of such new Bond an amount sufficient to reimburse the Trustee for the expense incurred by it in the issuance thereof.

Section 2.15. Equality of Lien. The pledges and covenants herein set forth to be performed by the City and the Trustee shall be for the equal benefit, protection and security of the Owners of all the Bonds, all of which, without regard to the times of their issuance, their series, or their maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other, except as expressly provided in or permitted by this Indenture.

Section 2.16. Indenture to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall hold the same from time to time, the provisions of this Indenture shall be a part of the contract of the City with the Owners of Bonds and shall be deemed to be and shall constitute a contract among the City, the Trustee and the Owners from time to time of the Bonds. The pledges and assignments made hereby and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the City shall be for the equal benefit, protection and security of the Owners of any and all of such Bonds, each of which, regardless of the time of its issue or maturity, shall be of equal rank without preference, priority or distinction over any other thereof.

Section 2.17. Exchangeability of Bonds. Bonds, upon surrender thereof at the principal or corporate trust office of the Registrar and Paying Agent with a written instrument of transfer satisfactory to the Trustee, duly executed by the Owner thereof or his duly authorized attorney, may at the option of the Owner thereof, and upon payment by such Owner of any charges which the Trustee, the Registrar and Paying Agent or the City may make as provided in Sections 2.14 and 2.20, be exchanged for an equal aggregate principal amount of Bonds of the same Series and maturity of any of the authorized denominations of such Series.

Section 2.18. Negotiability, Transfer and Registration. All Bonds shall be negotiable subject to the provisions for registration, transfer and exchange contained in this Indenture and in the Bonds. So long as any of the Bonds shall remain Outstanding, the City shall cause books for the registration, transfer and exchange of Bonds (the "Bond Register") to be maintained by the Registrar and Paying Agent at its principal or corporate trust office. The City shall register or cause to be registered in such books, and permit to be transferred thereon, under such reasonable regulations as it, the Trustee or the Registrar and Paying Agent may prescribe, all Bonds, and so long as any of the Bonds remain Outstanding, the City shall make all necessary provisions to permit the exchange of Bonds at the principal or corporate trust office of the Registrar and Paying Agent.

Section 2.19. Transfer of Bonds. (A) Each Bond shall be transferable only upon the Bond Register by the Owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer duly executed by the Owner or his duly authorized attorney satisfactory to the Registrar and Paying Agent who shall act as transfer agent. Upon the transfer of any Bond, the City shall issue in the name of the transferee a new Bond or Bonds of the same aggregate principal amount, Series and maturity as the surrendered Bond.

(B) The City, the Trustee and the Registrar and Paying Agent may deem and treat the person in whose name any Bond shall be registered on the Bond Register as the absolute Owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, of and interest on such Bond, for notices required hereunder and for all other purposes and all such payments so made to any such registered Owner shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Trustee shall be affected by any notice to the contrary.

Section 2.20. Regulations with Respect to Exchanges and Transfers. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the City shall execute and the Registrar and Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Indenture. For every such exchange or transfer of Bonds, whether temporary or definitive, the City, the Registrar and Paying Agent or the Trustee may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer otherwise the transfer shall be without charge. The Registrar and Paying Agent shall not be obligated to make any such exchange or transfer of Bonds (i) on or after any Record Date and prior to the next Interest Payment Date, (ii) during the forty-five days preceding the date of any proposed redemption of Bonds, or (iii) during the period of thirty days prior to mailing of a notice of redemption of any Bonds.

Section 2.21. Cancellation and Destruction of Bonds. All Bonds paid or redeemed, either at or before maturity shall be delivered to the Registrar and Paying Agent when such payment or redemption is made, and such Bonds, together with all Bonds purchased by the Trustee, shall thereupon be promptly cancelled. Bonds so cancelled may be destroyed by the Registrar and Paying Agent, who shall prepare a certificate of destruction executed by an Authorized Officer describing the Bonds so destroyed which shall be filed with the City.

Section 2.22. Form of the Bond. The Bond, the Trustee's Certificate of Authentication thereon and the form of assignment shall be substantially in the form attached hereto as Exhibit, the omissions to be appropriately completed prior to delivery of the Bond.

(End of Article II)

ARTICLE III
REDEMPTION OF BONDS

Section 3.01. Redemption of the Bond. The Bond is subject to redemption prior to maturity upon the direction of the City in whole or part on any date commencing _____, at the redemption price and subject to the terms as set forth in the Bond Bank Indenture.

Section 3.02. Notice of Redemption. (A) When the Trustee shall receive notice from the City of its election to redeem any portion of the Bond or when the City is required to redeem the Bond pursuant to the provisions hereof, the Trustee shall give notice of the redemption by first-class mail, unless waived by any Owner of the Bond. Such notice shall specify the maturities of the Bond to be redeemed, the redemption date and the place or places where amounts due upon such redemption will be payable. Such notice shall further state that on such date there shall become due and payable upon each maturity of the Bond to be so redeemed, the redemption price thereof together with interest accrued to the redemption date, and that from and after such date interest with respect to such maturities shall cease to accrue and be payable. The Trustee shall mail a copy of such notice, postage prepaid, by certified mail, not less than 45 days before the redemption date to the Owner of the Bond, at the last address appearing upon the Bond Register.

(B) Failure to give any notice described above for redemption by mailing or any defect therein, shall not affect the validity of any proceedings for the redemption of the Bond, provided that the Owner of the Bond becomes aware of the City's intent to redeem bonds in time to comply with the redemption provisions set forth in Article III of the Bond Bank Indenture. The Bond will cease to bear interest for the maturities to be redeemed on the specified redemption date, and shall no longer be protected by this Indenture and shall not be deemed to be Outstanding under the provisions of this Indenture, provided that funds for such redemption are on deposit at the place of payment at that time.

(End of Article III)

ARTICLE IV
ACCOUNTS

Section 4.01. Establishment of Accounts. The City hereby establishes and creates the following special trust accounts:

- (1) City of Indianapolis Construction Account ("Construction Account").
- (2) City of Indianapolis Revenue Account ("Revenue Account").
- (3) City of Indianapolis Rebate Account ("Rebate Account").
- (4) City of Indianapolis Cost of Issuance Account ("Cost of Issuance Account").
- (5) City of Indianapolis Debt Service Reserve Account ("Debt Service Reserve Account").

Section 4.02. Identification of Accounts. All such Accounts shall be held and maintained by the Trustee and shall be identified by the City and the Trustee in such manner as to distinguish such Accounts from the accounts established by the City for any other of its obligations. All moneys or securities held by the Trustee pursuant to this Indenture shall be held in trust and applied only in accordance with the provisions of this Indenture. The City or the Trustee may establish such subaccounts of the Accounts as they may in their discretion determine to be appropriate to comply with the provisions of this Indenture, but such designation shall not affect the characterization of moneys held in any such subaccounts as being held in the Account related thereto for purposes of this Indenture.

Section 4.03. Construction Account. (A) There shall be deposited in the Construction Account: (i) \$ ___ from the proceeds of the sale of the Bond; and (ii) any other amounts required to be deposited therein pursuant to this Indenture.

(B) The Trustee shall apply moneys in the Construction Account to the costs of the Projects including, but not limited to, the following items:

- (1) the cost of constructing the Projects;
- (2) the cost of acquisition of all land, rights-of-way, property, rights, easements and any other legal or equitable interests acquired by the Authority for constructing the Projects including the cost of any relocations incident to the acquisition;
- (3) the cost of demolishing or removing any buildings, structures or improvements on property acquired by the City, including the cost of:
 - (a) acquiring any property to which the buildings, structures or improvements may be moved; or
 - (b) acquiring any property which may be exchanged for property acquired by the Authority.
- (4) capitalized interest;
- (5) engineering and legal expenses, costs of plans, specifications, surveys, estimates and any necessary feasibility studies;
- (6) other expenses necessary or incident to determining the feasibility or practicability of constructing any Projects;
- (7) administrative expenses of the City relating to the Projects financed by bonds or notes;
- (8) reimbursement of the City for:
 - (a) any cost, obligation or expense incurred by the City relating to the Projects;
 - (b) advances relating to the Projects from the City for surveys, borings, preparation of plans and specifications, or engineering services; or
 - (c) any other cost of construction incurred by the City or paid from advances;
- (9) other expenses the City finds necessary or incident to the construction of the Projects, the financing of the construction and the placing of the Projects in operation.
- (10) Transfer of funds at any time to the Rebate Account in order that the amount on deposit therein shall be equal to the Rebate Amount (as defined in the Rebate Certificate).

(C) Moneys remaining in the Construction Account on the earlier of the completion of the Projects, as evidenced by a Certificate of Completion executed by the City, or the date which is three (3) years after the date of this Indenture shall be (i) placed in an escrow account; (ii) invested in a manner which will not cause the Bond to become an "arbitrage bond" under § 148 of the Code; and (iii) used to redeem Bonds on the first date the Bond is redeemable hereunder pursuant to Section 3.01 hereof.

All payments from the Construction Account shall be made by the Trustee upon presentation of a certificate from an architect or engineer stating that the work has been completed or the materials have been furnished, approved in writing by an Authorized Officer of the City or in the case of any items not subject to certification by the architect or engineer, then upon the presentation of an Officer's Certificate of the City, stating the character of the expenditure, the amount thereof, and to whom due, together with the statement of the creditor as to the amount owing.

Section 4.04. Revenue Account. (A) The Revenue Account shall be funded by deposit therein by the City of the following:

- (1) From Bond proceeds \$_____ representing accrued interest and capitalized interest;
- (2) From Revenues on the seventh day prior to the first day of each month, an amount equal to the product of the amount of the Bond Payment due on the next Interest Payment Date and a fraction, the numerator of which is one and the denominator of which is the number of months less one from the preceding Interest Payment Date to the next Interest Payment Date; provided, however, that the denominator may not be less than one until the full amount of the Bond Payment due on the next Interest Payment Date is on deposit in the Revenue Account, one sixth of all Bond Payment due and payable on the Bonds on the Next Interest Payment Date is sufficient to make the Bond Payment on the next Interest Payment Date;
- (3) Monthly amounts deposited to make Bond Payments pursuant to subsection 4.04(A)(2) above shall be reduced to the extent that funds on deposit in the Revenue Account are sufficient to make the Bond

Payment on the next Interest Payment Date. Amounts on deposit in the Revenue Account on an Interest Payment Date which are not required to be transferred in order to pay the Bond Payment under the Bond Bank Indenture shall remain in the Revenue Account, and shall reduce the required deposit as set forth in this subsection.

- (4) From Revenues or any other source any other funds the City determines necessary and proper for deposit therein. The City has no obligation to make deposits other than from Revenues.

(B) Funds in the Revenue Account shall be disbursed by the Trustee (i) on each Interest Payment Date for the purpose of paying the principal of, premium, if any, and interest on the Bonds as the same come due, or in advance as permitted herein and as directed by the City, and (ii) on any redemption date the amounts required for payment of principal, premium, if any, and interest on the Bonds, to redeem Bonds in the manner provided in Article III hereof, (iii) at any time to the Debt Service Reserve Account created under the Bond Bank Indenture for the purpose of satisfying the Debt Service Reserve Requirement (as defined in the Bond Bank Indenture), (iv) at any time to the Rebate Account for the purpose of complying with the tax covenants set out herein, and (v) at any time to the Trustee or the Bond Bank to pay the fees and expenses of each entity, as set forth in Section 6.05 hereof and in the Bond Bank Indenture. Any funds remaining after all the Bonds have been redeemed or defeased, pursuant to the terms hereof, shall be deposited in the Rebate Account if the funds therein are not sufficient for its purposes. Any funds not so deposited shall be paid to the City free and clear of the lien of this Indenture.

Section 4.05. Rebate Account. (A) There shall be deposited in the Rebate Account no less frequently than required by the Code all sums required by the Rebate Certificate. Upon the City's written direction, an amount shall be deposited to the Rebate Account by the Trustee from deposits by the City or from amounts held in the Revenue Account, if and to the extent required, in order that the amount on deposit therein shall be equal to the Rebate Amount (as defined in the Rebate Certificate). Computations of the Rebate Amount shall be furnished by or on behalf of the City in accordance with the Rebate Certificate. The Trustee shall invest all amounts held in the Rebate Account in Investment Securities, subject to the restrictions set forth in the Rebate Certificate. Money shall not be transferred from the Rebate Account except as provided herein after payment of any outstanding Trustee fees.

(B) Money at any time deposited in the Rebate Account shall be held by the Trustee in trust, to the extent required to satisfy the Rebate Amount for payment to the federal government of the United States of America, and neither the City, the City nor the Owner of any Bonds shall have any rights in or claim to such money. All moneys deposited into or on deposit in the Rebate Account shall be governed by this Section and by the Rebate Certificate (which is incorporated herein by reference). The Trustee shall be deemed conclusively to have complied with such provisions if it follows the directions of the City including supplying all necessary information which is reasonably available to the Trustee in the manner provided in the Rebate Certificate. The Trustee shall not be required to take any actions thereunder in the absence of written directions from the City and shall have no liability or responsibility to enforce compliance by the City with the terms of the Rebate Certificate. Upon receipt of the City's written directions, the Trustee shall remit part or all of the balances in the Rebate Account to the United States, as so directed. In addition, if the City so directs, the Trustee will deposit moneys into or transfer moneys out of the Rebate Account from or into such Accounts as the City may direct in writing. Any funds remaining in the Rebate Account after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor satisfactory to the Trustee, shall be remitted to the City.

(C) The Trustee shall have no obligation to rebate any amounts required to be rebated pursuant to this Section other than from moneys held in Accounts created under this Indenture or from other moneys provided to it by the City.

(D) Notwithstanding any other provisions of this Indenture, the obligation to remit the Rebate Amounts to the United States and to comply with all other requirements of this Section and the Rebate Certificate shall survive the defeasance or payment in full of the Bonds.

Section 4.06. Obligation to Fund Debt Service Reserve Account.

The City shall pay and deposit to the Debt Service Reserve Account established under the Bond Bank Indenture any amounts necessary to satisfy the Debt Service Reserve Requirement (as defined in the Bond Bank Indenture).

(End of Article IV)

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ARTICLE V
APPLICATION, CUSTODY AND INVESTMENT OF
BOND PROCEEDS AND OTHER AMOUNTS

Section 5.01. Application of Bond Proceeds, Accrued Interest and Premium. The proceeds of the sale of any Bonds shall, as soon as practicable upon the delivery of such Bonds by the Trustee, be deposited as provided in Article IV hereof or in accordance with any Supplemental Indenture authorizing their issuance.

Section 5.02. Investment of Certain Funds. (A) Subject to the right of the City to direct the investment or deposit of funds hereunder, moneys in any Account shall be continuously invested and reinvested or deposited or redeposited by the Trustee in Investment Securities. The City may direct the Trustee to, or in the absence of direction, the Trustee shall, invest and reinvest the moneys in any Account in Investment Securities so that the maturity date or Redemption Date at the option of the Trustee shall coincide as nearly as practicable with the times at which moneys are to be expended. The Investment Securities purchased shall be held by the Trustee, or for its account as Trustee and shall be deemed at all times to be part of such Account, and the Trustee shall provide the City with monthly reports detailing all such investments. The Trustee shall sell or present for redemption any Investment Securities purchased by it as an investment whenever it shall be necessary in order to provide moneys to meet any payment from such Account. The Trustee may make such investments through its own bond department.

(B) Investment Securities purchased as an investment of moneys in any Account held by the Trustee under the provisions of this Indenture shall be deemed at all times to be a part of such Account. The income or interest earned and gains realized in excess of losses suffered by an Account due to the investment thereof shall remain in such Account.

(C) The Trustee shall sell or present for redemption or exchange, any Investment Securities purchased by it pursuant to this Indenture whenever it shall be necessary in order to provide moneys to meet any payment or transfer from the Account for which such investment was made.

(D) In the event the Trustee shall disburse moneys in any Account to acquire accrued interest on any Investment Securities due on the date of such acquisition, such interest when received shall be credited to such Account.

Section 5.03. Valuation and Sale of Investments. (A) In computing the amount in any Account, Investment Securities therein shall be valued at the lower of cost or market.

(B) Except as otherwise provided herein, the Trustee shall sell or present for redemption any Investment Securities whenever it shall be required in writing by an Authorized Officer of the City to do so or whenever it shall be necessary in order to provide moneys to meet any payment or transfer from any Account held by it. An Investment Security may be credited on a pro-rata basis to more than one Account and need not be sold in order to provide for the transfer of amounts from one Account to another.

(End of Article V)

ARTICLE VI
MATTERS CONCERNING THE TRUSTEE,
REGISTRAR AND PAYING AGENT

Section 6.01. Appointment and Acceptance of Duties of Trustee. _____ is hereby appointed as Trustee. The Trustee shall signify its acceptance of the duties and obligations of the Trustee by executing this Indenture.

Section 6.02. Appointment and Acceptance of Duties of Registrar and Paying Agent. The Trustee is hereby appointed as Registrar and Paying Agent of the Bonds. The City may at any time or from time to time appoint successor Registrars or Paying Agents.

Section 6.03. Responsibility of the Trustee and Registrar and Paying Agent. The recitals of fact herein and in the Bonds contained shall be taken as the statements of the City and the neither Trustee nor the Registrar and Paying Agent assumes any responsibility for the correctness of the same. The Trustee makes no representations as to the validity or sufficiency of this Indenture or of any Bonds issued hereunder or in respect of the security afforded by this Indenture, and the Trustee shall not incur any responsibility in respect thereof. The Trustee, shall, however, be responsible for their representations contained in their respective certificates on the Bonds. The Trustee shall not be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof or the application of any moneys paid to the City. The Trustee shall not be under any responsibility or duty with respect to the application of any moneys paid to any other Trustee. The Trustee and the Registrar and Paying Agent shall not be liable in connection with the performance of its or their duties hereunder except for its or their own negligence or default.

Section 6.04. Evidence on Which Trustee and Registrar and Paying Agent May Act. Neither the Trustee, nor the Registrar and Paying Agent shall incur any liability in acting upon any notice, resolution, ordinance, request, consent, order, certificate, report, opinion, bond or other paper or document believed by such party to be genuine, and to have been signed or presented by the proper party or parties. The Trustee and the Registrar and Paying Agent may consult with counsel, who may be counsel to the City, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by such party hereunder in good faith. Neither the Trustee nor the Registrar and Paying Agent shall be liable to the City, the Owners of any of the Bonds or any other person for any act or omission done or omitted to be done by such party in reliance upon any instruction, direction or certification received by such party pursuant to this Indenture or for any act or omission done or omitted in good faith and without misconduct. Except as otherwise expressly provided herein, any request, order, notice or other direction required or permitted to be furnished pursuant to any provision hereof by the City to the Trustee or the Registrar and Paying Agent shall be sufficiently executed if executed in the name of the City by an Authorized Officer.

Section 6.05. Compensation. The City shall pay but solely from the sources provided herein to the Trustee and the Registrar and Paying Agent from time to time reasonable compensation for all services rendered under this Indenture, and also all reasonable expenses, charges, counsel fees (whether or not litigation ensued and, if so, fees on trial and any appeal therefrom) and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Indenture and the Trustee shall have a lien therefor on any and all funds at any time held by it under this Indenture. Trustee shall be entitled to reasonable additional compensation for all additional or extraordinary services rendered and expenses (including counsel fees) incurred in connection with said Event of Default.

Section 6.06. Permitted Acts and Functions. The Trustee and the Registrar and Paying Agent may become the Owner of any Bonds, with the same rights it would have if it were not Trustee. The Trustee may act as a depository for, and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of Owners of the Bonds or to effect or aid in any reorganization growing out of the enforcement of the Bonds or this Indenture, whether or not any such committee shall represent the Owners of a majority in principal amount of the Bonds then Outstanding. The Trustee may be an underwriter in connection with the sale of the Bonds or of any other securities offered or issued by the City.

Section 6.07. Resignation of Trustee and/or Registrar and Paying Agent. The Trustee and the Registrar and Paying Agent may at any time resign and be discharged of the duties and obligations created by this Indenture by giving not less than sixty days' written notice to the City and mailing notice thereof specifying the date when such resignation shall take effect in accordance with the requirements of Section 11.18, and such resignation shall take effect upon the day specified in such notice unless previously a successor shall have been appointed, as provided in Section 6.09, in which event such resignation shall take effect immediately upon the appointment of such successor.

Section 6.08. Removal of Trustee and/or Registrar and Paying Agent. The Trustee and/or the Registrar and Paying Agent shall be removed by the City if so requested by an instrument or concurrent instruments in writing, filed with the Trustee and/or the Registrar and Paying Agent and the City and signed by the Owners of a majority in principal amount of the Bonds then Outstanding or their attorney-in-fact duly authorized, excluding any Bonds held by or for the account of the City. The City may remove the Trustee and/or the Registrar and Paying Agent at any time, except during the existence of an Event of Default, for such cause as shall be determined in the sole discretion of the City by filing with the Trustee an instrument signed by an Authorized Officer of the City.

Section 6.09. Appointment of Successor Trustee or Registrar and Paying Agent. (A) In case at any time the Trustee or Registrar and Paying Agent shall resign or shall be removed or shall become incapable of acting, or shall be adjudged bankrupt or insolvent, or if a receiver, liquidator or conservator of the Trustee or Registrar and Paying Agent, or of its property, shall be appointed, or if any public officer shall take charge or control of the Trustee or Registrar and Paying Agent, or of its property or affairs, the City covenants and agrees that it will thereupon appoint a successor Trustee or Registrar and Paying Agent. The City shall mail notice of any such appointment made by it in accordance with the requirements of Section 11.18, such mailing to be made within twenty days after such appointment.

(B) If in a proper case no appointment of a successor Trustee or Registrar and Paying Agent shall be made pursuant to the foregoing provisions of this Section within forty-five (45) days after the Trustee or Registrar and Paying Agent shall have given to the City written notice, as provided in Section 11.18, or after a vacancy in the office of the Trustee or Registrar and Paying Agent shall have occurred by reason of its inability to act, the Owner of any Bond may apply to any court of competent jurisdiction to appoint a successor Trustee or Registrar and Paying Agent. Said court may thereupon, after such notice, if any, as such court may deem proper, appoint a successor Trustee or Registrar and Paying Agent.

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(C) Any Trustee or Registrar and Paying Agent appointed under the provisions of this Section in succession to the Trustee shall be a trust company or bank having the powers of a trust company within the State, having retained earnings and shareholder's equity at least equal to that of the previous Trustee or Registrar and Paying Agent if there is such a trust company or bank willing and able to accept the office on reasonable and customary terms and authorized by law to perform all the duties imposed upon it by this Indenture, otherwise, any trust company or bank having powers within or outside the State acceptable to the City.

Section 6.10. Transfer of Rights and Property to Successor Trustee. Any successor Trustee appointed under this Indenture shall execute, acknowledge and deliver to its predecessor Trustee, and also to the City, an instrument accepting such appointment, and thereupon such successor Trustee, without any further act, deed or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties and obligations of such predecessor Trustee, with like effect as if originally named as Trustee, but the Trustee ceasing to act shall nevertheless, on the request of the City, or of its successor Trustee, execute, acknowledge and deliver such instruments of conveyance and further assurance and do such other things as may reasonably be required for more fully and certainly vesting and confirming in such successor Trustee all the right, title and interest of the predecessor Trustee in and to any property held by it under this Indenture, and shall pay over, assign and deliver to the successor Trustee any money or other property subject to the trusts and conditions herein set forth. Should any deed, conveyance or instrument in writing from the City be required by such successor Trustee for more fully and certainly vesting in and confirming to such successor Trustee any such estates, rights, powers and duties, any and all such deeds, conveyances and instruments in writing shall, on request, and so far as may be authorized by law, be executed, acknowledged and delivered by the City. Upon the effectiveness of the resignation or removal of the Trustee, such Trustee's authority to act pursuant to this Indenture shall terminate and such Trustee shall have no further responsibility or liability whatsoever for performance under this Indenture as Trustee.

Section 6.11. Merger or Consolidation. Any company into which the Trustee and/or the Registrar and Paying Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Trustee and/or the Registrar and Paying Agent may sell or transfer all or substantially all its corporate trust business, provided such company shall be a trust company or bank which is qualified to be a successor to the Trustee and/or the Registrar and Paying Agent and shall be authorized by law to perform all the duties imposed upon it by this Indenture, shall be the successor to the Trustee and/or the Registrar and Paying Agent without the execution or filing of any paper or the performance of any further act, anything herein to the contrary notwithstanding.

Section 6.12. Adoption of Authentication. If any of the Bonds contemplated to be issued under this Indenture shall have been authenticated but not delivered, any successor Registrar and Paying Agent may adopt the certificate of authentication of any predecessor Registrar and Paying Agent so authenticating such Bonds and deliver such Bonds. If said Bonds shall not have been authenticated, any successor Registrar and Paying Agent may authenticate such Bonds in the name of the predecessor Registrar and Paying Agent or in the name of the successor Registrar and Paying Agent, and in all such cases such certificate shall have the full force for which it is intended and the Bonds so authenticated shall be deemed Bonds issued pursuant to this Indenture.

Section 6.13. Evidence of Signatures of Owners and Ownership of Bonds. (A) Any request, consent or other instrument which this Indenture may require or permit to be signed and executed by the Owners may be in one or more instruments of similar tenor, and shall be signed or executed by such Owners in person or by their attorneys appointed in writing. Proof of (i) the execution of any such instrument, or of an instrument appointing any such attorney, or (ii) the holding by any person of the Bonds shall be sufficient for any purpose of this Indenture (except as otherwise herein expressly provided) if made in the following manner, but the Trustee may nevertheless in its sole discretion require further or other proof in cases where it deems the same desirable of the fact and date of the execution by any Owner of the Bonds or his attorney of such instrument may be proved by the Certificate, which need not be acknowledged or verified, of an officer of a bank or trust company, financial institution or member of the National Association of Securities Dealers, Inc. satisfactory to the Trustee or of any notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the person signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer. The authority of the person or persons executing any such instrument on behalf of a corporate Owner of the Bonds may be established without further proof if such instrument is signed by a person purporting to be the president or vice president of such corporation with a corporate seal affixed and attested by a person purporting to be its secretary or an assistant secretary.

(B) The ownership of Bonds and the amount, numbers, and other identification, and date of holding the same shall be proved by the Bond Register.

(C) Any request, consent or vote of the Owner of any Bond shall bind all future Owners of such Bond in respect of anything done or suffered to be done by the City or the Trustee in accordance therewith.

Section 6.14. Preservation and Inspection of Documents. All documents received by the Trustee under the provisions of this Indenture (or microfilm, microcard or similar photographic reproduction thereof) shall be retained in its possession until such time as the Trustee in consultation with the City determines that the retention thereof is no longer necessary, and shall be subject at all reasonable times to the inspection of the City and any Owner of the Bonds and their agents and their representatives, any of whom may request copies thereof, at the expense of the requesting party.

Section 6.15. Powers of Trustee Under the Loan Agreement. The City agrees that the Trustee shall at any and all times have the power to exercise any of the rights, powers and privileges of the City under the Loan Agreement, including but not limited to the right (i) to grant consents, approvals or permissions, (ii) to declare a default, (iii) to exercise any and all remedies provided for therein, and (iv) to perform the City's covenants.

(End of Article VI)

ARTICLE VII
DEFAULT AND REMEDIES

Section 7.01. Events of Default. The happening of one or more of the following events shall constitute an "Event of Default":

(A) A default in the due and punctual payment of the principal of, premium, if any, or interest on any Bond when and as the same shall become due and payable;

(B) A default in the performance or observance of any other of the covenants, agreements or conditions contained in this Indenture or in the Bonds, and the continuation of such default shall for a period of sixty (60) days after written notice thereof, specifying such default and requiring the same to be remedied, shall have been given to the City by the Trustee, or in the event Trustee has no actual knowledge of such default, to the City and the Trustee by the Owners of not less than 60% in aggregate principal amount of the Outstanding Bonds;

Section 7.02. Acceleration. In each and every case of an Event of Default, and during the continuance of such Event of Default, the Trustee may by notice in writing to the City, and shall upon the written request of the Owners of not less than 25% in principal amount of the Outstanding Bonds, declare the principal of all the Outstanding Bonds, and the interest accrued thereon, to be due and payable immediately, and upon any such declaration the same shall become and shall be immediately due and payable, anything in this Indenture or in the Bonds contained to the contrary notwithstanding.

This provision, however, is subject to the condition that if at any time after the principal of the Bonds shall have been so declared due and payable, and before any judgment or decree for the payment of the money due shall have been obtained or entered as hereinafter provided, the City shall pay to or shall deposit with the Trustee a sum sufficient to pay all principal of the Bonds matured prior to such declaration and all matured installments of interest, if any, upon all the Bonds, with interest at the rate borne by the Bonds on such overdue principal and premium, if any, and, to the extent legally enforceable, on such overdue installments of interest, and the reasonable expenses (including its reasonable attorney's fees) of the Trustee, and any and all other defaults known to the Trustee (other than in the payment of principal and of interest on the Bonds due and payable solely by reason of such declaration) shall have been made good or cured or adequate provision shall have been made therefor, then and in every such case, the Owners of at least 66-2/3% in aggregate principal amount of the Outstanding Bonds, by written notice to the City and to the Trustee, may, on behalf of the Owners of all Bonds, rescind and annul such declaration and its consequences but no such rescission and annulment shall extend to or shall affect any subsequent default, nor shall it impair or exhaust any right or power consequent thereon.

Section 7.03. Remedies. In case of an Event of Default, the Trustee shall proceed to protect and enforce its rights and the rights of the Owners of the Bonds under this Indenture by a suit, action, or proceeding in equity or at law or otherwise.

Section 7.04. Covenant to Pay Trustee Amounts Due on Bonds and Right of Trustee to Judgment. The City covenants that, if:

(A) default is made in the payment of any interest on any Bond when such interest is due; or

(B) default is made in the payment of the principal of, premium, if any, on any Bond at its maturity or upon redemption, then upon demand by the Trustee, the City will pay to the Trustee for the benefit of the Owners of such Bonds, solely from the Trust Estate, the whole amount then due and payable on such Bonds for principal, premium, if any, and interest, with interest at the respective rate or rates prescribed therefor in the Bonds on overdue principal, premium, if any, and interest, and, in addition thereto, and such further amount as shall be sufficient to pay the costs and expenses of collection, including the reasonable compensation,

expenses, disbursements and advances of the Trustee and its agents and counsel. If the City fails to pay such amounts forthwith upon such demand, the Trustee, in its own name and as trustee of an express trust, shall be entitled to sue for and recover judgment for the amount so due and unpaid provided that such a judgment shall be paid solely and only from the Trust Estate.

Section 7.05. Application of Collection Proceeds. The proceeds of any collection efforts shall be deposited in the Revenue Account, and all moneys in the Revenue Account shall be applied by the Trustee as follows:

(A) To the payment of costs and expenses of suit, if any, and of any sale, and the reasonable compensation of the Trustee, its agents and counsel, and of all proper expenses, liabilities and advances incurred or made hereunder by the Trustee or by any Owner or Owners of the Bonds, and of all taxes, assessments or liens superior to the lien of these presents, except any taxes, assessments or other superior liens subject to which said sale may have been made; then

(B) To fund the Rebate Account if necessary; then

(C) To the payment of the whole amount then owing or unpaid upon the Bonds for principal, interest, and to the extent permitted by law, interest on overdue principal and interest, at the rate of interest borne by the Bonds and in case such proceeds shall be insufficient to pay the whole amount so due and unpaid on the Bonds, then to the payment of such principal and interest, without preference or priority of principal over interest or of interest over principal or of any installment of interest over any other installment of interest, ratably, in proportion to the aggregate of such principal and accrued and unpaid interest; and then

(D) To the payment of the surplus, if any, to the City, its successors and assigns, or to whomsoever may be lawfully entitled to receive the same.

Section 7.06. Waiver Not to Impair Subsequent Rights. No delay or omission of the Trustee or of any Owner of any of the Bonds to exercise any right or power arising from any default on the part of the City hereunder shall exhaust or impair any such right or power or prevent its exercise during the continuance of such default. No waiver by the Trustee or Owners of any such default, whether such waiver be full or partial, shall extend to or be taken to affect any subsequent default, or impair the rights resulting therefrom, except as may be otherwise provided herein. No remedy hereunder is intended to be exclusive of any other remedy but each and every remedy shall be cumulative and in addition to any and every other remedy given hereunder or otherwise existing.

Section 7.07. Control of Proceedings. No Owner shall have any right to institute or prosecute any suit or proceeding at law or in equity or for the foreclosure hereof, for the enforcement of any of the provisions hereof or of any remedies hereunder in respect to the pledged property unless the Trustee, after a request in writing by the Owners of 51 percent in aggregate principal amount of the Outstanding Bonds, and after the Trustee shall have been assured such reasonable indemnity as it may require, shall have neglected for 60 days to take such action; provided, however, that the right of any Owner of any Bond to receive payment of principal and/or interest on or after the respective due dates expressed therein, or to institute suit for the enforcement of any such payment, shall not be impaired or affected without the consent of such Owner.

Section 7.08. Trustee May File Proofs of Claim. In case of the pendency of any receivership, insolvency, liquidation, bankruptcy, reorganization, arrangement, adjustment, composition, or other judicial proceeding relative to the City or the property of the City, the Trustee (irrespective of whether the principal of the Bonds shall then be due and payable, as therein expressed or by declaration or otherwise, and irrespective of whether the Trustee shall have made any demand on the City or the City for the payment of overdue principal, premium, or interest) shall be entitled and empowered, by intervention in such proceeding or otherwise:

(A) To file and prove a claim for the whole amount of principal, premium, if any, and interest owing and unpaid in respect of the Outstanding Bonds and to file such other papers or documents as may be necessary or advisable in order to have the claims of the Trustee (including any claim for the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel) and of the Owners allowed in such judicial proceeding, and

(B) To collect and receive any money or other property payable or deliverable on any such claims and to distribute the same.

Any custodian, receiver, assignee, trustee, liquidator, sequestrator, or other similar official in any such judicial proceeding is hereby authorized by each Owner of Bonds to make such payments to the Trustee, and in the event that the Trustee shall consent to the making of such payments directly to the Owners, to pay to the Trustee any amount due to it for the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel, and any other amounts due the Trustee under Section 6.05.

Nothing herein contained shall be deemed to authorize the Trustee to authorize or consent to or accept or adopt on behalf of any Owner of Bonds any plan of reorganization, arrangement, adjustment, or composition affecting the Bonds or the rights of any Owner thereof, or to authorize the Trustee to vote in respect of the claim of any Owner of Bonds in any such proceeding.

Section 7.09. Trustee May Enforce Claims Without Possession of Bonds. All rights of action and claims under this Indenture or the Bonds may be prosecuted and enforced by the Trustee without the possession of any of the Bonds or the production thereof in any proceeding relating thereto and any such proceeding instituted by the Trustee shall be brought in its own name as trustee of an express trust. Any recovery of judgment shall, after provision for the payment of the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel, be for the ratable benefit of the Owners of the Bonds in respect of which such judgment has been recovered.

Section 7.10. Limitation on Suits. No Owner of any Bond shall have any right to institute any proceeding, judicial or otherwise, under or with respect to this Indenture, or for the appointment of a receiver or trustee or for any other remedy hereunder, unless:

(A) A default has occurred, and

(B) Such default shall have become an Event of Default and the Owners of not less than 25% in aggregate principal amount of the Outstanding Bonds shall have made written request to the Trustee to institute proceedings in respect of such Event of Default in its own name as Trustee hereunder, and

(C) Such Owner or Owners shall have offered to the Trustee reasonable indemnity against the costs, expenses, and liabilities to be incurred in compliance with such request, and

(D) The Trustee for 60 days after the receipt of such notice, request, and offer of indemnity has failed to institute any such proceeding, and

(E) No direction inconsistent with such written request has been given to the Trustee during such 60-day period by the Owners of a majority in aggregate principal amount of the Outstanding Bonds.

No one or more Owners of Bonds shall have any right in any manner whatever by virtue of any provision of this Indenture to affect, disturb, or prejudice the rights of any other Owners of Bonds, or to obtain or to seek to obtain priority or preference over any other Owners or to enforce any right under this Indenture, except in the manner herein provided and for the equal and ratable benefit of all Outstanding Bonds.

Section 7.11. Unconditional Right of Owners to Receive Principal, Premium and Interest. Notwithstanding any other provision of this Indenture, the Owner of any Bond shall have the right which is absolute and unconditional to receive payment of the principal of, premium, if any, and interest on such Bond on the dates expressed in such Bond (or, in the case of redemption, on the Redemption Date), but solely from the Revenues and the Owner of any Bond shall have the right to institute suit for the enforcement of any such payment from the Revenues, and such rights shall not be impaired without the consent of such Owner.

Section 7.12. Restoration of Positions. If the Trustee, the City or any Owner of a Bond has instituted any proceeding to enforce any right or remedy under this Indenture by appointment of receiver or otherwise and such proceeding has been discontinued or abandoned for any reason or has been determined adversely to the Trustee, the City or to such Owner, then and in every such case the City, the Trustee and the Owners shall, subject to any determination in such proceeding, be restored to other former positions hereunder, and thereafter all rights and remedies of the Trustee, the City and the Owners shall continue as though no such proceeding had been instituted.

Section 7.13. Rights and Remedies Cumulative. No right or remedy herein conferred upon or reserved to the Trustee or the Owners of the Bonds is intended to be exclusive of any other right or remedy, and every right and remedy shall, to the extent permitted by law, be cumulative and in addition to every other right and remedy given hereunder or now or hereafter existing at law or in equity or otherwise. The assertion or employment of any right or remedy hereunder, or otherwise, shall not prevent the concurrent assertion or employment of any other appropriate right or remedy.

Section 7.14. Delay or Omission Not Waiver. No delay or omission of the Trustee or of any Owner of any Bond to exercise any right or remedy accruing upon an Event of Default shall impair any such right or remedy or constitute a waiver of any such Event of Default or an acquiescence therein. Every right and remedy given by this Article or by law to the Trustee or the Owners of the Bonds may be exercised from time to time, and as often as may be deemed expedient, by the Trustee or such Owners, as the case may be.

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Section 7.15. Control by Owners of Bonds. The Owners of a majority in aggregate principal amount of the Outstanding Bonds shall have the right, during the continuance of an Event of Default:

(A) To require the Trustee to proceed to enforce this Indenture, either by judicial proceedings for the enforcement of the payment of the Bonds or otherwise; and

(B) To direct the time, method, and place of conducting any proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee hereunder, provided that:

- (1) such direction shall not be in conflict with any rule of law or this Indenture, and
- (2) the Trustee may take any other action deemed proper by the Trustee which is not inconsistent with such direction, and
- (3) the Trustee shall not determine that the action so directed would be unjustly prejudicial to the Owners not taking part in such direction, provided that the Trustee shall not be liable for any adverse consequences of any such determination made in good faith or for not making such determination where such is done in good faith.

Section 7.16. Waiver of Past Defaults, Notice of Default. (A) The Trustee may waive any Event of Default under Section 7.01(C), hereof and its consequences (unless the Bonds have been accelerated) and shall do so (unless all Bonds have been accelerated) upon the written request of the Owners of (a) more than two-thirds in aggregate principal amount of all the Bonds then Outstanding in the case of a default in the payment of principal or interest for a period of five (5) days or (b) a majority in aggregate principal amount of all Bonds then Outstanding in the case of any other default; provided, however, that there shall not be waived (i) any default in the payment of the principal of any Outstanding Bond at the date of maturity specified therein or (ii) any default of the payment when due of the interest on any Outstanding Bonds, and (iii) all expenses of the Trustee in connection with such default, and in the case of any such waiver or rescission, or in case any proceeding taken by the Trustee on account of such default shall have been discontinued or abandoned or determined adversely, then and in every such case the City, the Trustee and the Owners shall be restored to their former positions and rights hereunder, respectively, but no such waiver or rescission shall extend to any subsequent or other default, or impair any right consequent thereon. No such waiver shall affect the rights of third parties to payment of the amounts provided for hereunder.

(B) Anything herein to the contrary notwithstanding, no default under Section 7.01(B) hereof shall constitute an Event of Default until actual notice of such default by registered or certified mail shall be given to the City by the Trustee or by the Owners of not less than 25% in aggregate principal amount of all Bonds then Outstanding, the City shall have had sixty (60) days after receipt of such notice to correct the default or cause the default to be corrected, and the City shall not have corrected the default or caused the default to be corrected within the applicable period; provided, however, if the default be such that cannot be corrected within the applicable period, it shall not constitute an Event of Default if corrective action is instituted by the City within the applicable period and diligently pursued until the default is corrected.

With regard to any alleged default concerning which notice is given to the City under the provisions of this Section, the City hereby grants the Trustee full authority for the account of the City to perform any covenant or obligation alleged in said notice to constitute a default, in the name and stead of the City with full power to do any and all things and acts to the same extent that the City could do and perform any such things and acts and with power of substitution.

Section 7.17. Suits to Protect the Trust Estate. The Trustee shall have power to institute and to maintain such proceedings as it may deem expedient to prevent any impairment of the Trust Estate by any acts which may be unlawful or in violation of this Indenture and to protect its interests and the interests of the Owners of the Bonds in the Trust Estate, including power to institute and maintain proceedings to restrain the enforcement of or compliance with any governmental enactment, rule, or order that may be unconstitutional or otherwise invalid, if the enforcement of or compliance with such enactment, rule, or order would impair the security hereunder or be prejudicial to the interests of the Owners of the Bonds or the Trustee.

Section 7.18. Remedies Subject to Applicable Law. All rights, remedies, and powers provided by this Article may be exercised only to the extent that the exercise thereof does not violate any applicable provision of law in the premises, and all the provisions of this Article are intended to be subject to all applicable mandatory provisions of law which may be controlling in the premises and to be limited to the extent necessary so that they will not render this Indenture invalid, unenforceable, or not entitled to be recorded, registered, or filed under the provisions of any applicable law.

(End of Article VII)

ARTICLE VIII
EVIDENCE OF RIGHTS OF OWNERS

Section 8.01. Instruments of Consent. Any request, consent or other instrument required by this Indenture to be signed and executed by Owners may be in any number of concurrent writings of substantially similar tenor and may be signed or executed by such Owners in person or by an agent duly appointed in writing. Proof of the execution of any such request, consent or other instrument or of a writing appointing any such agent shall be sufficient for any purpose of this Indenture and shall be conclusive in favor of the Trustee and of the City if made in the manner provided in this Article.

Section 8.02. Proof of Execution. The fact and date of the execution by any person of any such request, consent or other instrument or writing may be proved by the affidavit of a witness of such execution or by the certificate of any notary public or other officer of any jurisdiction, authorized by the laws thereof to take acknowledgments of deeds, certifying that the person signing such request, consent or other instrument acknowledged to him the execution thereof. Where such execution shall be by an officer of a corporation or association or a member of a partnership, such affidavit or certificate shall also constitute sufficient proof of his authority.

Section 8.03. Proof of Ownership of Bonds. The ownership of Bonds shall be proved by the Bond Register. Any request, consent or vote of the Owner of any Bond shall bind every future Owner of the same Bond and the Owner of every Bond issued in exchange therefor or in lieu thereof, in respect of anything done or suffered to be done by the Trustee or the City in pursuance of such request, consent or vote.

Section 8.04. Bonds Owned by City. In determining whether the Owners of the requisite aggregate principal amount of Bonds shall have concurred in any demand, request, direction, consent or waiver under this Indenture, Bonds which shall be owned by the City or by any person directly or indirectly controlling or controlled by or under common control with the City, shall be disregarded and deemed not to be Outstanding for the purpose of any such determination, provided that for the purpose of determining whether the Trustee shall be protected in relying on any such demand, request, direction, consent or waiver only Bonds which the Trustee shall know to be so owned shall be disregarded. Bonds so owned which have been pledged in good faith may be regarded as Outstanding for the purpose of this Section if the pledgee shall establish to the satisfaction of the Trustee the pledgee's right to vote such Bonds and that the pledgee is not a person directly or indirectly controlling or controlled by or under common control with the City. In case of a dispute as to such right, any decision by the Trustee taken upon the advice of counsel shall be full protection to the Trustee.

(End of Article VIII)

ARTICLE IX
SUPPLEMENTAL INDENTURES

Section 9.01. Supplemental Indentures Not Requiring Owner Consent. The City, when authorized by ordinance, from time to time and at any time, subject to the conditions and restriction of this Indenture, may enter into Supplemental Indentures for any one or more of all of the following purposes:

(A) To add to the covenants and agreements of the City under this Indenture, or to surrender any right or power herein reserved by or conferred upon the City.

(B) To make such provisions for the purpose of curing any ambiguity, or of curing, correcting or supplementing any defective or inconsistent provisions contained in this Indenture, or in regard to matters or questions arising under this Indenture, as the City may deem necessary or desirable and not inconsistent with this Indenture and which shall not adversely affect the interests of the Owners of the Bonds;

(C) To subject, describe or redescribe any property subjected or to be subjected to the lien of this Indenture;

(D) To authorize the issuance of Additional Bonds as provided in Section 2.13 hereof.

(E) To modify, amend or supplement this Indenture or any indenture supplemental hereto in such manner as to permit the qualification hereof and thereof under the Trust Indenture Act of 1939 or any similar federal statute hereafter in effect, and, for the purpose of such qualification, to add to this Indenture or any indenture supplemental hereto such other terms, conditions and provisions as may be required by said Trust Indenture Act of 1939 or similar federal statute.

Any Supplemental Indenture authorized by the provisions of this Section may be executed by the City and the Trustee without the consent of the Owners of any Outstanding Bonds, notwithstanding any of the provisions

of Section 9.02, but the Trustee shall not be obligated to enter into any such Supplemental Indenture which affects the Trustee's own rights, duties or immunities under this Indenture or otherwise.

Section 9.02. Supplemental Indentures Requiring Owner Consent. (A) With the consent of the Owners of not less than 51% in aggregate principal amount of the Outstanding Bonds, the City, when authorized by ordinance may from time to time and at any time enter into an Supplemental Indenture for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this Indenture or of any Supplemental Indenture; provided, however, that no such Supplemental Indenture shall (i) extend the maturity of any Bond or reduce the rate of interest thereon or extend the time of payment of interest, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the Owner of each Bond so affected, or (ii) reduce the aforesaid percentage of Owners of Bonds required to approve any such supplemental indenture, without the consent of the Owners of all the Outstanding Bonds. Upon receipt by the Trustee of a duly passed legal, valid and binding ordinance of the City authorizing the execution of any such Supplemental Indenture, and upon the filing with the Trustee of evidence of the consent of Owners, as aforesaid, the Trustee shall join with the City in the execution of such Supplemental Indenture unless such Supplemental Indenture shall affect the Trustee's own rights, duties or immunities under this Indenture or otherwise, in which case the Trustee may in its discretion, but shall not be obligated to, enter into such Supplemental Indenture.

(B) It shall not be necessary for the consent of the Owners of the Bonds under this Section to approve the particular form of any proposed Supplemental Indenture, but it shall be sufficient if such consent shall approve the substance thereof.

Section 9.03. Effect of Supplemental Indentures. Upon the execution of any Supplemental Indenture pursuant to the provisions of this Article, this Indenture shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the City, the Trustee and all Owners of Outstanding Bonds shall thereafter be determined, exercised and enforced hereunder subject in all respects to such modifications and amendments, and all the terms and conditions of any such Supplemental Indenture shall be deemed to be part of the terms and conditions of this Indenture for any and all purposes.

Section 9.04. Reliance on Opinion of Counsel. The Trustee may rely on an Opinion of Counsel as evidence that any supplemental indenture executed pursuant to the provisions of this Article complies with the requirements of this Indenture.

Section 9.05. On or before the 20th day of each month the Auditor shall allocate money derived from the wheel tax and from the surtax during that month to the city and the Treasurer shall on or before the 25th day of each month distribute the money derived from the wheel tax and the surtax during that month to the city.

(End of Article IX)

ARTICLE X DEFEASANCE

Section 10.01. Discharge and Satisfaction. (A) The covenants, liens and pledges entered into, created and imposed pursuant to this Indenture may be fully discharged and satisfied with respect to the Bonds in any one or more of the following ways:

- (1) By paying all of the principal, premium, if any, and interest on the Bonds, when the same become due and payable; or
- (2) By depositing with the Trustee in the manner provided by this Indenture and for such purpose, at or before the date or dates of maturity or redemption, money in the necessary amount to pay or redeem all of the Bonds and the premium, if any, and interest thereon accrued to the date of payment; or
- (3) By depositing with the Trustee, and for such purpose, at or before the dates of maturity or redemption, Government Obligations in an amount sufficient, including any income or increment to accrue thereon, but without the necessity of any reinvestment, to pay or redeem all the Bonds and the interest thereon accrued to the date of payment in accordance with their terms; or
- (4) By delivery to the Trustee, for cancellation by it, of all unpaid Bonds;

and in each case by the payment or adequate provision for payment of all other sums payable hereunder by the City.

(B) Upon such complete discharge and satisfaction, this Indenture shall, subject to the provisions of Section 10.02 hereof, cease, determine and become null and void, and thereupon the Trustee shall, upon the written request of the City, and upon receipt by the Trustee of an Officer's Certificate from the City and Counsel's

Opinion, each stating that in the opinion of the signers all conditions precedent to the satisfaction and discharge of this Indenture have been complied with, forthwith execute proper instruments acknowledging satisfaction of and discharging this Indenture which shall be without prejudice to the rights of the Trustee to charge and be reimbursed by the City for any expenditures which it may thereafter incur in connection therewith.

Section 10.02. Partial Discharge and Satisfaction. (A) The covenants, liens and pledges entered into, created and imposed pursuant to this Indenture may be partially discharged and satisfied with respect to any Bonds in any one or more of the following ways:

- (1) By paying all of the principal, premium, if any, and interest on such Bonds, when the same become due and payable; or
- (2) By depositing with the Trustee in the manner provided by this Indenture and for such purpose, at or before the date or dates of maturity or redemption, money in the necessary amount to pay or redeem such Bonds and the premium, if any, and interest thereon accrued to the date of payment; or
- (3) By depositing with the Trustee, and for such purpose, at or before the dates of maturity or redemption, Government Obligations in an amount sufficient, including any income or increment to accrue thereon, but without the necessity of any reinvestment, to pay or redeem such Bonds and the interest thereon accrued to the date of payment in accordance with their terms;

and in each case by the payment or adequate provision for payment of all other sums payable hereunder by the City.

(B) Upon such payment or deposit, the Bonds for which such payment or deposit has been made shall no longer be subject to or entitled to the protection of this Indenture and as to such Bonds the Indenture shall, subject to the provisions of Section 10.03 hereof, cease, determine and become null and void.

Section 10.03. City's Liability Terminated. Upon the deposit with the Trustee of money or securities in the amount required by Section 10.01 or Section 10.02 hereof, provided that if the Bonds are to be redeemed prior to the maturity thereof notice of such redemption shall have been given as provided herein, or such provisions satisfactory to the Trustee shall have been made for the giving of such notice, all liability of the City with respect to the Bonds to be redeemed shall cease, determine and be completely discharged and the Owners thereof shall thereafter be entitled only to payment out of the money or securities of the City deposited with the Trustee as aforesaid for their payment. Notwithstanding the foregoing provisions of this Section 10.02 hereof, the covenants of the City in Section 11.01 shall survive and continue in effect until all Bonds and the interest thereon have been paid in full.

(End of Article X)

ARTICLE XI
MISCELLANEOUS

Section 11.01. Tax Covenants. The City will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103 of the Code. The City will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Bonds. In the event that at any time the City is of the opinion that for purposes of this Section 11.01 it is necessary to restrict or limit the yield on the investment of any moneys held by the Trustee under this Indenture, the City shall so instruct the Trustee in writing and the Trustee shall take such action as may be necessary in accordance with such instructions notwithstanding the provisions of Section 5.02 of this Indenture. This covenant shall survive payment in full or defeasance of the Bonds. The Trustee shall comply with all reasonable instructions of the City given in accordance with the Rebate Certificate.

Section 11.02. Performance. The City shall do and perform or cause to be done and performed all acts and things required to be done or performed by or on behalf of the City under the provisions of this Indenture.

Section 11.03. Compliance With Conditions Precedent. Upon the date of issuance of any of the Bonds, all conditions, acts and things required by law or by this Indenture to exist, to have happened or to have been performed precedent to or in the issuance of such Bonds shall exist, have happened and have been performed, and such Bonds, together with all other indebtedness of the City, shall be within every debt and other limit prescribed by law.

Section 11.04. Power to Issue Bonds and Pledge Revenues. The City is duly authorized under all applicable laws to authorize and issue the Bonds and to enter into, execute and deliver this Indenture and to pledge the Trust Estate in the manner and to the extent herein provided. The Trust Estate is and will be free and clear of any pledge, lien, charge or encumbrance thereon, or with respect to any pledge, lien, charge or encumbrance thereon, the security interest created by this Indenture shall be prior to, such other pledge, and all corporate or other action on the part of the City to that end has been and will be duly and validly taken. The Bonds and the provisions of this Indenture are and will be the valid and legally enforceable obligations of the City in accordance with their terms and the terms of this Indenture. The City shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Trust Estate, and all the rights of the Owners under this Indenture against all claims and demands of all persons whomsoever.

Section 11.05. Payment of Bonds. The City shall duly and punctually pay or cause to be paid (solely from the sources described herein) the principal of, premium, if any, and interest on every Bond, on the dates and at the places and in the manner stated in the Bonds, according to the true intent and meaning thereof.

Section 11.06. Extensions of Payment. The City shall not directly or indirectly extend or assent to the extension of the maturity of any of the Bonds or the time of payment of any claims for interest by the purchase or funding of such Bonds or claims for interest. In the event that the maturity of any of the Bonds or the time for payment of any such claims for interest shall be extended, such Bonds or claims for interest shall not be entitled to the benefit of this Indenture or to any payment out of the Accounts established pursuant to this Indenture, including the investments, if any, thereof, or out of the Trust Estate prior to benefits accorded to or the payment of the principal of all Bonds, the maturity of which has not been extended, and of such portion of the accrued interest on the Bonds as shall not be represented by such claims for interest. Nothing herein shall be deemed to limit the right of the City to issue bonds for refunding purposes and such issuance shall not be deemed to constitute an extension of maturity of Bonds.

Section 11.07. Offices for Servicing Bonds. The City shall at all times maintain or cause to be maintained an office or agency in Indiana where Bonds may be presented for registration, transfer or exchange, and where notices, presentations and demands upon the City in respect of the Bonds or of this Indenture may be served. The City hereby appoints the Trustee as its agent to maintain such office or agency for the registration, transfer or exchange of Bonds, and for the service of such notices, presentations and demands upon the City.

Section 11.08. Waiver of Laws. The City shall not at any time insist upon or plead in any manner whatsoever, or claim or take the benefit or advantage of any law or laws now or at any time hereafter in force which may affect the covenants and agreements contained in this Indenture or in the Bonds and all benefit or advantage of any such law or laws is hereby expressly waived by the City.

Section 11.09. Successors and Assigns. All the covenants, stipulations, promises and agreements contained in this Indenture, by or on behalf of the City, shall bind and inure to the benefit of its successors and assigns.

Section 11.15. Benefits of Indenture Limited. Nothing in this Indenture or in the Bonds expressed or implied is intended or shall be construed to give any person other than the City, the Trustee and the Owners of the Bonds issued hereunder, any legal or equitable right, remedy or claim under or in respect to this Indenture or any covenants, conditions or provisions therein or herein contained and all such covenants, conditions and provisions are and shall be held to be for the sole and exclusive benefit of the City, the Trustee and the Owners of the Bonds.

Section 11.16. Waiver of Notice. Whenever in this Indenture the giving of notice by mail or otherwise shall be required, the giving of such notice may be waived in writing by the person entitled to receive such notice and in any such case the giving or receipt of such notice shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

Section 11.17. Severability. In case any one or more of the provisions contained in this Indenture or in the Bonds shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Indenture, but this Indenture shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein.

Section 11.18. Notice. Any notice, requisition, direction, certificate or other writing on behalf of the City, Trustee or City required by this Indenture shall, unless otherwise specified herein, be signed by an Authorized Officer.

Any notice to or demand upon the Trustee may be served or made at the main corporate trust office of the Trustee by first class mail to:

Attention:

Any notice to or demand upon the City may be served by first class mail to:

Attention:

or at such other addresses as may be filed in writing with the parties hereto.

Section II.19. Counterparts. This Indenture may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original and such counterparts, or as many of them as the City and the Trustee shall preserve undestroyed, shall together constitute but one and the same instrument.

Section II.20. No Recourse Against Directors and Officers. No recourse under or upon any obligation, covenant or agreement contained in this Indenture, or in any Bond hereby secured, or under any judgment obtained against the City, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise or under any circumstances, under or independent of this Indenture, shall be had against any officer, as such, past, present or future, of the City for the payment for or to the Owner of any Bond issued hereunder of any sum that may be due and unpaid by the City upon any such Bond. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his part or otherwise, for the payment for or to the Owner of any Bond issued hereunder or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them is hereby expressly waived and released as a condition of and consideration for the execution of this Indenture and the issuance of the Bonds.

Section II.21. Governing Law. This Indenture shall be governed exclusively by the provisions hereof and by the applicable laws of the State.

Section II.22. Nonbusiness Days. Whenever any act is required by this Indenture to be done on a specified day or date, and such day or date shall be a day other than a Business Day, then such act may be done on the next succeeding Business Day.

(End of Article XI)

IN WITNESS WHEREOF, the City has caused these presents to be signed in its name and behalf by its Mayor and its corporate seal to be impressed hereon and attested by its City Clerk, and to evidence its acceptance of the trusts hereby created, the Trustee has caused these presents to be signed in its name and behalf by an Authorized Officer, its official seal to be impressed hereon and attested by an Authorized Officer, and to evidence its acceptance of the responsibilities of a Registrar and Paying Agent created hereunder, the Registrar and Paying Agent has caused these presents to be signed in its name and behalf by an Authorized Officer, its official seal to be impressed hereon and attested by an Authorized Officer, all as of _____, 1992.

CITY OF INDIANAPOLIS

By: _____
Stephen Goldsmith, Mayor

Attest:

By: _____
Beverly Rippey, City Clerk

[SEAL]

_____, TRUSTEE

By: _____
Vice President and Trust Officer

October 26, 1992

Attest:

By: _____
Vice President and Trust Officer

[SEAL]

Registrar and Paying Agent

By: _____
Vice President

Attest:

By: _____
Vice President and Trust Officer

[SEAL]

This instrument was prepared by Karl R. Sturbaum, Attorney at Law, 2700 First Indiana Plaza, 135 North Pennsylvania Street, Indianapolis, Indiana 46204.

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Stephen Goldsmith and Beverly Rippey, by me known and by me known to be the Mayor and City Clerk, respectively, of the City of Indianapolis, who acknowledged the execution of the foregoing "Trust Indenture" on behalf of said corporation.

WITNESS my hand and Notarial Seal this ___ day of _____, 1992.

Notary Public

(Printed Signature)

My Commission Expires:

My County of Residence:

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared _____ and _____, by me known and by me known to be the Vice President and Trust Officer and Vice President and Trust Officer, respectively, of _____, who acknowledged the execution of the foregoing "Trust Indenture" on behalf of said corporation.

WITNESS my hand and Notarial Seal this ___ day of _____, 1992.

Notary Public

(Printed Signature)

My Commission Expires:

My County of Residence:

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared _____ and _____, by me known and by me known to be the Vice President and Vice President and Trust Officer, respectively, of _____, who acknowledged the execution of the foregoing "Trust Indenture" on behalf of said corporation.

WITNESS my hand and Notarial Seal this ____ day of _____, 1992.

Notary Public

(Printed Signature)

My Commission Expires:

My County of Residence:

EXHIBIT A

Real Estate

[to be inserted]

QUALIFIED ENTITY PURCHASE AGREEMENT

PURCHASE AGREEMENT, dated the __ day of _____, 1992, between The Indianapolis Local Public Improvement Bond Bank, a body corporate and politic ("Bond Bank"), created pursuant to the provisions of Indiana Code 5-1.4 ("Act"), having its principal place of business in the City of Indianapolis, Indiana, and the City of Indianapolis, Indiana, a consolidated city of the first class created pursuant to IC 36-3-1 and acting pursuant to its powers ("Qualified Entity").

WITNESSETH:

WHEREAS, pursuant to the Act and a resolution adopted by the Bond Bank, the Bond Bank is authorized to purchase securities (as defined in the Act) ("Securities"), issued by qualified entities (as defined in the Act); and

WHEREAS, the Qualified Entity has duly authorized the issuance of its bonds designated "City of Indianapolis Transportation Revenue Bonds, Series 1992" in the amount of \$_____ (the "Qualified Obligations"), and the Qualified Obligations are Securities to be purchased by the Bond Bank in accordance with this Purchase Agreement; and

WHEREAS, the Qualified Entity has adopted a special ordinance approving a Trust Indenture dated as of _____, 1992 (the "Indenture"), between the Qualified Entity and _____, as Trustee (the "Qualified Entity Trustee"), authorizing the issuance of the Qualified Obligations;

NOW THEREFORE, the Bond Bank and the Qualified Entity agree:

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1. The Bond Bank hereby agrees to purchase the Qualified Obligations and the Qualified Entity hereby agrees to sell to the Bond Bank the Qualified Obligations concurrently with the issuance by the Bond Bank of its bonds referred to above at a price of \$_____ for the Qualified Obligations, plus accrued interest on the Qualified Obligations to the date of delivery (_____, 1992) of the Qualified Obligations minus costs of issuance of the Bond Bank's Transportation Revenue Bonds, Series 1992. The Qualified Obligations shall mature and bear interest as set forth in the Indenture. The other terms of the Qualified Obligations are set forth in the Indenture and are incorporated herein by reference.

2. The Qualified Entity has taken all proceedings required by law to enable it to issue its Qualified Obligations to be purchased by the Bond Bank.

3. Subject to Section 8, the Qualified Entity agrees to pay the Bond Bank, on each interest payment date for the Qualified Obligations, reasonable fees and charges attributable to the administration of the Qualified Obligations required by the Bond Bank.

4. Simultaneously with the delivery to the Bond Bank of the Qualified Obligations, which Qualified Obligations shall be substantially in the form set forth in the Indenture and registered in the name of the Bond Bank, the Qualified Entity shall furnish to the Bond Bank a transcript of proceedings and the opinion of Bose McKinney & Evans, bond counsel, as to, among other things, the validity of the Qualified Obligations and the excludability from gross income for federal tax purposes of interest on the Qualified Obligations under Section 103 of the Internal Revenue Code of 1986, as amended and as in effect on such date (the "Code"); provided, however, if the Qualified Entity is unable to cause bond counsel to deliver such opinion, this Agreement shall be of no force or effect.

5. The Qualified Entity and the Bond Bank agree that the Qualified Obligations and the payments to be made thereon may be pledged or assigned by the Bond Bank under and pursuant to the Trust Indenture, dated as of _____, 1992, between the Bond Bank and _____, as Trustee ("Bond Bank Indenture").

6. The Qualified Entity agrees to furnish to the Bond Bank, if available, as long as any of the Qualified Obligations remain outstanding, annual financial reports, audit reports and such other financial information as is reasonably requested by the Bond Bank.

7. The Qualified Entity covenants and agrees to comply with the rebate requirements of Section 148(f) of the Code. The Qualified Entity or the Qualified Entity Trustee will keep records of the investments made and the earnings on those investments and report this information to the Bond Bank annually so that the Bond Bank may make the rebate or penalty calculation. The Bond Bank will assess the Qualified Entity annually for its share of the arbitrage profits or penalty owed to the United States of America as a fee and will use these fees to pay the rebate amount owed.

8. If the Bond Bank determines to sell all or part of the Qualified Obligations, it agrees to pay or reimburse the Qualified Entity for all costs associated therewith including the printing of bonds, obtaining ratings therefor and providing services of a registrar and paying agent therefor.

9. Notwithstanding paragraphs 2 and 7 hereof to the contrary, the Qualified Entity's obligation to pay fees and charges imposed on the Qualified Entity thereunder shall be limited solely to Revenues available therefor under the Indenture.

10. If any provision of this Purchase Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Purchase Agreement and this Purchase Agreement shall be construed and be in force as if such invalid or unenforceable provision had not been contained herein.

11. This Purchase Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. The Bond Bank and the Qualified Entity each agree that they will execute any and all documents or other instruments and take such other actions as may be necessary to give effect to the terms of this Purchase Agreement.

12. No waiver by either the Bond Bank or the Qualified Entity of any term or condition of this Purchase Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase or other provision of this Purchase Agreement.

13. This Purchase Agreement merges and supersedes all prior negotiations, representations, and agreements between the Bond Bank and the Qualified Entity relating to the subject matter hereof and constitutes the entire agreement between the Bond Bank and the Qualified Entity in respect hereof.

IN WITNESS WHEREOF, we have hereunto set our hands as of the day and year first above written.

THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK

By: _____
_____, Chairman

Attest:

Executive Director

[Seal]

CITY OF INDIANAPOLIS

By: _____
Stephen Goldsmith, Mayor

Attest:

By: _____
Beverly Rippy, City Clerk

[Seal]

PROPOSAL NO. 531, 1992. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 531, 1992 on October 20, 1992. The proposal approves the Preliminary Board Resolution and the issuance of the bonds of the Redevelopment District for refinancing the Canal and Circle Centre Mall projects. 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 8:25 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 531, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Hinkle, Jimison, Rhodes

Proposal No. 531, 1992 was retitled GENERAL RESOLUTION NO. 10, 1992 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 1992

A GENERAL RESOLUTION approving the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, payable solely from taxes on real property located in the Consolidated Redevelopment Allocation Area allocated and deposited into the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of IC 36-7-15.1-26 and from other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, pledged for the purpose as provided in IC 36-7-15.1-17(h).

WHEREAS, on October 1, 1992, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), adopted a Preliminary Bond Resolution (Resolution No. 92-041) (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the District, in one or more series or issues, payable solely from taxes on real property located in the Consolidated Redevelopment Allocation Area allocated and deposited in the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of IC 36-7-15.1-26 and

from other revenues of the Commission pledged for the purpose as provided in IC 36-7-15.1-17(h) (the "Bonds"), for the purpose of procuring funds to be applied to the cost of refunding all or a portion of (i) the City of Indianapolis Redevelopment District Tax Increment Revenue Bonds of 1986 (the "Series 1986 Bonds"), (ii) the City of Indianapolis Redevelopment District Junior Tax Increment Revenue Bonds of 1988, Series A (the "Series 1988 A Bonds"), and (iii) the City of Indianapolis Redevelopment District Project and Subordinated Tax Increment Revenue Bond of 1988, Series B (the "Series 1988 B Bond"), and of property acquisition and redevelopment in the Consolidated Redevelopment Allocation Area, including all expenses reasonably incurred in connection with the acquisition and redevelopment of the property, including the total cost of all land, rights-of-way and other property to be acquired and redeveloped, all reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount, and supervisory expenses related to the acquisition and redevelopment of the property or the issuance of the Bonds, capitalized interest permitted by IC 36-7-15.1 and a debt service reserve for the Bonds, to the extent that the Commission determines that a reserve is reasonably required, the total cost of all clearing and construction work as provided for in the Preliminary Bond Resolution, and expenses that the Commission may be required or permitted to pay under IC 8-23-17, together with the expenses in connection with or on account of the issuance of the Bonds authorized therein (collectively, the "Refunding and Project Costs"), in an aggregate principal amount not to exceed the total of the following estimated Refunding and Project Costs: \$30,000,000 for the advance refunding of the Series 1986 Bonds, \$315,000,000 for the advance refunding of the Series 1988 A Bonds and additional project costs, and \$40,000,000 for the current refunding of the Series 1988 B Bond; and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Bonds pursuant to IC 36-3-5-8, and the City-County Council now finds that the issuance of the Bonds should be approved; now therefore:

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

SECTION 1. The City-County Council does hereby approve the Preliminary Bond Resolution and the issuance of the Bonds of the District, in one or more series or issues, payable solely from taxes on real property located in the Consolidated Redevelopment Allocation Area allocated and deposited in the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provision of IC 36-7-15.1-26 and from other revenues of the Commission pledged for the purpose as provided in IC 36-7-15.1-17(h), in an aggregate principal amount not to exceed the total of the following estimated Refunding and Project Costs: \$30,000,000 for the advance refunding of the Series 1986 Bonds, \$315,000,000 for the advance refunding of the Series 1988 A Bonds and additional project costs, and \$40,000,000 for the current refunding of the Series 1988 B Bond.

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

PROPOSAL NO. 400, 1992. The proposal appropriates \$25,600 for the Domestic Relations Counseling Bureau to fund personnel expenses for the Visiting Nurse Service through a state grant. Councillor Dowden asked for consent to postpone Proposal No. 400, 1992 until November 9, 1992. Consent was given.

PROPOSAL NO. 508, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 508, 1992 on October 22, 1992. The proposal transfers and appropriates \$92,500 for the County Clerk to pay jury expenses. 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 8:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 508, 1992 was adopted on the following roll call vote; viz:

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

4 NAYS: Black, Boyd, Jones, Williams

4 NOT VOTING: Coughenour, Hinkle, Rhodes, Short

Proposal No. 508, 1992 was retitled FISCAL ORDINANCE NO. 68, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 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-two Thousand Five Hundred Dollars (\$92,500) in the County General Fund for purposes of the Marion County Justice Agency to transfer funds to the County Clerk.

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 (d) and (dd) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for the Marion County Justice Agency to transfer funds to the County Clerk for payment of Court Services Jury Expenses.

SECTION 2. The sum of Ninety-two Thousand Five Hundred Dollars (\$92,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY CLERK</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$92,500</u>
TOTAL INCREASE	\$92,500

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$92,500</u>
TOTAL REDUCTION	\$92,500

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

PROPOSAL NO. 509, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 509, 1992 on October 22, 1992. The proposal appropriates \$445,140 for the Marion County Justice Agency, County Sheriff, Prosecuting Attorney and the County Auditor to continue the shared funding for the Metro Drug Task Force. 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 8:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 509, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: *Coughenour, Golc, Hinkle, Rhodes, Short*

Proposal No. 509, 1992 was retitled FISCAL ORDINANCE NO. 69, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Four Hundred Forty-five Thousand One Hundred Forty Dollars

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(\$445,140) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency, County Sheriff, Prosecuting Attorney and County Auditor 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 (dd), (z), (w), 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 Marion County Justice Agency to pay for capital expenditures and provide salaries for law enforcement officers that are involved in the multi-jurisdictional pursuit of illegal drug activities.

SECTION 2. The sum of Four Hundred Forty-five Thousand One Hundred Forty Dollars (\$445,140) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	\$197,378
4. Capital Outlay	8,503
<u>COUNTY SHERIFF</u>	
1. Personal Services	58,879
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	137,566
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	42,814
TOTAL INCREASE	\$445,140

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	\$445,140
TOTAL REDUCTION	\$445,140

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. 208, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 208, 1992 on October 21, 1992. The proposal amends the Code by authorizing intersection controls at Dr. Martin Luther King, Jr. Street and St. Clair Street (District 16). By a 7-1 vote, the Committee reported Proposal No. 208, 1992 to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor Dowden, to strike. Proposal No. 208, 1992 was stricken by the following roll call vote; viz:

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

2 NAYS: *Black, Brents*

6 NOT VOTING: *Coughenour, Golc, Howard, Moriarty, Schneider, Short*

PROPOSAL NO. 243, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 243, 1992 on October 21, 1992. The proposal amends 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 6). By a 7-0 vote, the Committee reported Proposal No. 209, 1992 to the Council with the recommendation that it be stricken. Proposal No. 243, 1992 was stricken by the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Coughenour, Hinkle, Howard, Short*

PROPOSAL NO. 253, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 253, 1992 on October 26, 1992. The proposal amends the Code by restricting former city and county employees' dealings with their former employer. By a 5-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Curry, to strike. Proposal No. 253, 1992 was stricken by a unanimous voice vote.

PROPOSAL NO. 255, 1992. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 255, 1992 on October 20, 1992. The proposal concerns reduction of Councillor salaries. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Curry moved, seconded by Councillor Dowden, to strike. Proposal No. 255, 1992 was stricken on the following roll call vote; viz:

18 YEAS: *Beadling, Borst, Boyd, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

9 NAYS: *Black, Brents, Golc, Jimison, Jones, Moriarty, Mullin, Short, Williams*

2 NOT VOTING: *Coughenour, Howard*

PROPOSAL NO. 286, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 286, 1992 on June 17, July 1, September 30, and October 21, 1992. The proposal concerns the reorganization of the Department of Transportation. On September 30, 1992 by a vote of 7-0, the Committee reported the proposal to the Council with the recommendation that it do pass. On October 12, 1992, Councillor Gilmer asked for consent to return the proposal to Committee. Consent was given. Councillor Gilmer stated that the proposal was amended as follows:

- (1) Sec. 271-2 was revised to delete the word "franchises" and insert the word "permits" to make sure it is understood that no additional authority was being granted to the department of transportation with respect to issuing franchises;
- (2) Sec. 271-11 was amended to use the same language with respect to appointment of the director as was used in the other reorganization proposals;
- (3) Secs. 271-13 and 271-101 were amended to change the name of the "asset management division" to "facilities management division";
- (4) Sec. 271-101 was further amended to clarify the responsibility of the "facilities management division" with respect to capital management plans; and

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(5) Sec. 271-101 and 271-201 were amended to place street lighting programs under the "facilities management division" rather than the "operations division."

On October 21, 1992 by a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Dowden, for adoption.

Councillor Golc said that he will be voting against Proposal No. 286, 1992 because he is concerned with some of the language in the proposal which may lead to privatization of the City's transportation services. He does not feel that the Metro bus drivers and employees can compete with private organizations for transportation contracts.

The President passed the gavel to Councillor West.

The President stated that the market place is probably the fairest place to determine the distribution of resources. He agrees with Councillor Golc in that there has to be equity in how it is done and that the government entity should have the tools or have access to the tools in order to compete.

Councillor West passed the gavel back to President SerVaas.

The President stated that there are a number of Metro bus union members present and he has given permission for a representative of this group to speak.

James Denton, President of the Amalgamated Transit Union, stated that the union is concerned that: (1) IC 36-3-4-23 gives the Department of Transportation (DOT) the right to make drastic changes to Metro without the Council's approval, and (2) the substitution of "permits" for "franchises" would allow DOT to bring in other companies to run their bus routes.

Councillor Schneider said that before another company could come in and run Metro's routes it would need a permit from the Public Service Commission.

E. Mitchell Roob, Director, Department of Transportation, said that it is not DOT's intention to create another public bus company for the City. DOT would like to work more closely with Metro in planning for public transportation.

Councillor Hinkle stated that he supports Proposal No. 286, 1992, as amended, because after talking with Mr. Roob and Robert G. Elrod, General Counsel, he feels confident that before the city administration could put together a competent transit organization or do away with the Metro's bus drivers jobs that it must come back to this body for approval.

Councillor Franklin asked Mr. Roob if Metro's goal is to make a profit or to provide a public service for the community. Mr. Roob responded that 72% of Metro's budget is derived from tax dollars; 100% of Metro's capital expenditures come from tax dollars. It is a system that is in place to assist those who are economically and medically transit dependent.

Councillor McClamroch asked Mr. Elrod if, in his opinion, this ordinance changes the City's rights concerning Metro. Mr. Elrod replied that it is his opinion that there is nothing in this

ordinance that has anything to do with Metro. Metro is a separate municipal corporation governed by its own board of directors.

Proposal No. 286, 1992, as amended, was adopted on the following roll call vote; viz:

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

Councillor Smith stated that he abstained from voting due to a possible conflict of interest.

Proposal No. 286, 1992, as amended, was retitled GENERAL ORDINANCE NO. 113, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1992

A GENERAL ORDINANCE amending Chapter 271 of the Revised Code concerning the powers, duties and organization of the Department of Transportation.

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

SECTION 1. Chapter 271, Secs. 271-1, 271-2, 271-11 and 271-12, of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text so that the sections read as follows:

ARTICLE I. DEPARTMENT ESTABLISHED

Sec. 271-1. Department ~~created; duties; powers~~ established.

(a) There is hereby ~~created~~ established a department of transportation for the consolidated city ~~as successor to the department of transportation created by IC 18-4-10 (repealed) pursuant to IC 36-3-5-4, subject to IC 36-3-4-23. The department shall have all powers and duties prescribed for it as of August 31, 1983, subject to IC 36-3-4-23.~~

Sec. 271-2. (b) Duties, powers. It shall be the responsibility of the department of transportation to plan, design, construct, maintain and operate roads, streets, bridges and other public ways, plan mass transportation systems, and grant and withhold ~~franchises permits~~ or other rights for the use of ~~roads~~ transportation rights-of-way within the consolidated city. ~~In addition, The department shall have all powers and duties prescribed by law for it as of August 31, 1983, subject to IC 36-3-4-23, conferred by IC 36-9-6.5 or other statutes, or ordinances or delegated by the mayor or established by ordinance.~~

ARTICLE II. ORGANIZATION

Sec. 271-11. Director.

~~The chief administrative officer~~ director of the department of transportation shall be ~~a director who shall be~~ appointed by the mayor ~~with~~ subject to the approval of the city-county council as required by IC 36-3-5-2. ~~The director is appointed for a term of one year and until his successor is appointed and qualified but to serve at the pleasure of the mayor for a term ending December 31 of the year the appointment is effective and until a successor is appointed and qualifies.~~

Sec. 271-12. Power and duties.

The director of the department of transportation shall ~~have the following powers and duties:~~

- (1) ~~To supervise and coordinate the activities of~~ Manage the divisions within the department, provide policy direction, develop strategic management and develop capital improvement plans.

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- (2) ~~To~~ Oversee the daily operations of the department;
- (3) ~~To~~ prepare and submit the department's budget to the fiscal city controller officer as required by IC 36-3-5-5;
- (4) ~~To~~ appoint an administrator to be the head of each division of the department division administrators subject to the approval of the mayor as provided in IC 36-3-5-5;
- (5) ~~To~~ approve the hiring and dismissal of the personnel of the department subject to the limitations prescribed by the law and rules adopted by the mayor as provided in IC 36-3-5-5(c);
- (6) ~~To manage the personnel of~~ Provide administrative support to the department;
- (7) ~~To~~ delegate to the personnel employed in the department authority to act on ~~his~~ his behalf of the director as provided in IC 36-3-5-5(c);
- (8) ~~To~~ execute contracts subject to the authority of the transportation board, the mayor, and any other limitations prescribed by law;
- (9) ~~To~~ approve or disapprove disbursement of funds subject to limitations prescribed by law; and
- (10) ~~Any~~ Exercise any other powers which may be conferred by statute or ordinance or ~~assigned~~ delegated by the mayor ~~or established by ordinance~~.

Sec. 271-~~213~~. Divisions; ~~duties; powers~~.

The department of transportation shall be composed of the following divisions:

- (1) Facilities Management Division.
- (2) Operation Division.
- (3) Finance and Administration Division.

ARTICLE III. DIVISIONS

Sec. 271-101. Facilities Management division. The Facilities Management division shall:

- (1) Develop and implement a facility management plan for capital improvements, resurfacing and maintenance projects;
- (2) Develop, implement and manage a program for the planning, design, engineering and land acquisition of all department projects;
- (3) Develop, implement and manage a project funding program;
- (4) Develop, implement and manage an asset inventory system;
- (5) Develop, implement and manage a program for the provision of streetlighting; and
- (6) Issue permits involving the use of the public right-of-way;
- (7) Provide for the efficient and safe movement of pedestrian and vehicular traffic within the public rights-of-way; and
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.
- (1) ~~Development division. The development division shall:~~
 - a. ~~Provide all planning for the department in terms of long range improvement programs and short term work programs, including their funding and programming.~~
 - b. ~~Provide for the inventory and inspection of all physical facilities within the jurisdiction of the department.~~
 - c. ~~Provide all plan, design, engineering and land acquisition for all department improvement projects, including new construction, reconstruction, resurfacing, drainage, and curb and sidewalk projects.~~

- ~~d. Plan and establish programs, standards, and criteria relative to the provision of streetlighting.~~
- ~~e. Exercise powers necessary to facilitate efficient and safe movement of pedestrian and vehicular traffic within the public rights-of-way under the jurisdiction of the consolidated city.~~
- ~~f. Plan preventive maintenance programs, maintenance programs and quality control programs as needed for implementation by the operations division and/or independent contractors.~~

Sec. 271-201. ~~(2)~~ Operations division. The operations division shall:

- ~~a. Implement all department construction programs including new construction, reconstruction, resurfacing, curb and sidewalk construction programs, programs for the installation of traffic control devices, signs, signals, pavement markings and symbols.~~
- ~~b(1) Develop, implement and manage all department pavement, bridge, drainage and right-of-way maintenance programs, including programs for maintenance and repair services on streets, programs for drainage in the public right-of-way, programs for removal of ice and snow from streets, programs for cleaning streets, programs for trimming and cutting flora as may be necessary, within the public right-of-way under the jurisdiction of the consolidated city.~~
- (2) Develop, implement and manage department reactive service programs for snow removal, street cave-ins and other emergencies.
- ~~c(3) Develop, implement and manage all department signal maintenance, sign manufacturing and installation, pavement marking programs, traffic programs, including programs for the investigation of inquiries concerning traffic conditions, programs for the placement, maintenance and operation of traffic control devices, signs, signals, pavement markings and symbols, and programs relating to streetlighting.~~
- (4) Develop, implement and manage contractual maintenance services for drainage, asphalt, concrete and signal repair.
- (5) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

Sec. 271-301. ~~(3)~~ Finance and administration division. The finance and administration division shall:

- ~~a(1) Provide for the development, Develop, and implementation of and manage all department financial programs, budget administration, accounting, payroll, and purchasing programs and procedures, including preparing notices and billings for public improvement and services.~~
- ~~b(2) Provide for the development, Develop, and implementation of and manage all department administrative programs including, but not limited to, programs concerning data processing, equipment services, property management, fleet management, and personnel services.~~
- ~~c(3) Provide for the development, Develop, implementation and monitoring of manage all department citizens services programs, including, but not limited to, programs concerning public information, citizen relations and neighborhood coordination.~~
- ~~d. Issue all permits involving the use of the public right-of-way required by chapters 28 and 29 of the 1975 Code, including driveway, street cut, handicapped parking and other permits.~~
- ~~e. Oversee the installation, operation and maintenance of parking meters within the jurisdiction of the consolidated city.~~
- (4) Develop, implement and manage all department training and safety programs.
- ~~(5) Exercise the powers granted the department of transportation in IC 36-9-11.1.~~
- (6) Develop, implement and manage the installation, operation and maintenance of parking meters within the jurisdiction of the consolidated city; and
- (7) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

~~In addition each division shall have all powers conferred by statute, established by ordinance or delegated by the mayor.~~

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

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

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

PROPOSAL NO. 306, 1992. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 306, 1992 on October 20, 1992. The proposal, sponsored by Councillors Hinkle, Curry, Franklin, Giffin, McClamroch, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith and West, freezes certain salaries for 1992 and limiting salary increases for 1993. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Curry moved, seconded by Councillor Hinkle, to strike. Proposal No. 306, 1992 was stricken by unanimous voice vote.

PROPOSAL NO. 410, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 410, 1992 on October 21, 1992. The proposal amends the Code by authorizing a traffic signal at the intersection of Franklin Road and 50th Street (District 5). By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor O'Dell, to strike. Proposal No. 410, 1992 was stricken by a majority voice vote.

PROPOSAL NO. 474, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 474, 1992 on October 21, 1992. The proposal amends the Code by changing an intersection control at Kelly Street and Shelby Street (Districts 20, 21). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Mullin, for adoption. Proposal No. 474, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 474, 1992 was retitled GENERAL ORDINANCE NO. 114, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 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>
32, Pg. 11	Kelly St. & Shelby St.	None	Signal

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>
32, Pg. 11	Kelly St. & Shelby St.	Shelby St.	Stop

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

PROPOSAL NO. 499, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 499, 1992 on October 26, 1992. The proposal authorizes certain employees of Marion County to join the Public Employees Retirement Fund (P.E.R.F.). 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 Coughenour, for adoption. Proposal No. 499, 1992 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West, Williams

0 NAYS:

6 NOT VOTING: Dowden, Franklin, Howard, Jones, Schneider, Short

Proposal No. 499, 1992 was retitled SPECIAL RESOLUTION NO. 80, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1992

A SPECIAL RESOLUTION authorizing certain employees of Marion County to join the Public Employees Retirement Fund ("P.E.R.F").

WHEREAS, the City-County Council of Indianapolis and Marion County, on April 25, 1977 passed Special Resolution No. 5, 1977, authorizing certain employees of Marion County not already covered by a State pension plan to be covered by the P.E.R.F.; and

WHEREAS, the City-County Council now desires to allow for the participation of certain other employees in the P.E.R.F.; now, therefore:

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

SECTION 1. In addition to all county employees and elected and appointed officials covered by Special Resolution No. 5, 1977, the County of Marion elects to extend membership in the P.E.R.F. to County employees as described in Section 2.

SECTION 2. A. All County employees who occupy positions normally requiring performance of service of one thousand five hundred fifty (1,550) hours or more during a calendar year shall be members of the P.E.R.F. Participation of these employees in the P.E.R.F. shall date from July 1, 1978 (as provided in Special Resolution No. 5, 1977) or the employee's date of hire, whichever is later.

B. All County employees hired on or after April 1, 1992 who occupy positions normally requiring performance of service of less than one thousand five hundred and fifty (1,550) hours per year shall not be eligible to participate in the P.E.R.F.

C. All current County employees who occupy positions normally requiring performance of services of more than one thousand (1000) hours and less than one thousand five hundred fifty (1,550) during a calendar year and who are currently participating in the P.E.R.F. shall have the option of deciding whether they wish to continue their participation in the P.E.R.F. Employees who desire to discontinue their participation in the P.E.R.F. shall have until December 31, 1992 to notify the Marion County Auditor's Office that they wish to discontinue their participation. Any employee who does not notify the Auditor's office as to which option he/she

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desires shall be continued in the P.E.R.F. The date of participation for those employees who elect to remain in the P.E.R.F. shall be the date of July 1, 1978 or their date of hire, whichever is later.

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

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

PROPOSAL NO. 505, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 505, 1992 on October 22, 1992. The proposal transfers and appropriates \$1,000 for the Superior Court, Civil Division, Room Three, to purchase a recorder. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 505, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Howard*

Proposal No. 505, 1992 was retitled FISCAL ORDINANCE NO. 70, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Superior Court, Civil Division, Room Three, and reducing certain other appropriations for that Court.

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 (oo) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Civil Division, Room Three, to purchase a recorder for the hearing room.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CIVIL</u>	<u>COUNTY GENERAL FUND</u>
<u>DIVISION, ROOM THREE</u>	
4. Capital Outlay	<u>\$1,000</u>
TOTAL INCREASE	\$1,000

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

<u>SUPERIOR COURT, CIVIL</u>	<u>COUNTY GENERAL FUND</u>
<u>DIVISION, ROOM THREE</u>	
2. Supplies	<u>\$1,000</u>
TOTAL REDUCTION	\$1,000

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

PROPOSAL NO. 506, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 506, 1992 on October 22, 1992. The proposal transfers and appropriates \$2,650 for the Superior Court, Title IV-D Court, to purchase additional chairs. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 506, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 506, 1992 was retitled FISCAL ORDINANCE NO. 71, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Two Thousand Six Hundred Fifty Dollars (\$2,650) in the County General Fund for purposes of the Superior Court, Title IV-D Court, and reducing certain other appropriations for that Court.

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 (yy) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Title IV-D Court, to purchase additional chairs for the newly constructed courtroom.

SECTION 2. The sum of Two Thousand Six Hundred Fifty Dollars (\$2,650) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, TITLE IV-D COURT</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$2,650
TOTAL INCREASE	\$2,650

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

<u>SUPERIOR COURT, TITLE IV-D COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$2,301
4. Capital Outlay	349
TOTAL REDUCTION	\$2,650

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

PROPOSAL NO. 507, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 507, 1992 on October 22, 1992. The proposal transfers and appropriates \$2,000 for the Superior Court, Juvenile Division/Detention Center, for the IVY Tech program funded by a Ford Motor Company grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 507, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Hinkle, Howard, Williams*

Proposal No. 507, 1992 was retitled FISCAL ORDINANCE NO. 72, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Two Thousand Dollars (\$2,000) in the County Grants Fund for purposes of the Superior Court, Juvenile Division/Detention Center, and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (kk) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to transfer funds donated by Ford Motor Company for the IVY Tech Program.

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

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	<u>\$2,000</u>
TOTAL INCREASE	\$2,000

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

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GRANTS FUND</u>
3. Other Services and Charges	<u>\$2,000</u>
TOTAL REDUCTION	\$2,000

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

PROPOSAL NOS. 510, 511, 512, 515, 516, 519, 522 and 524, 1992. Councillor Gilmer asked for consent to vote on these eight transportation proposals together. Consent was given. PROPOSAL NO. 510, 1992. The proposal amends the Code by authorizing intersection controls in the Huntington Estates subdivision (District 1). PROPOSAL NO. 511, 1992. The proposal amends the Code by authorizing intersection controls in the Country Club Pines subdivision (District 18). PROPOSAL NO. 512, 1992. The proposal amends the Code by authorizing intersection controls in the Creekside Woods subdivision (District 13). PROPOSAL NO. 515, 1992. The proposal amends the Code by authorizing intersection controls at Park Avenue (WB) and 9th Street (District 22). PROPOSAL NO. 516, 1992. The proposal amends the Code by authorizing intersection controls at various locations (Districts 2, 8, 14, 21 and 22). PROPOSAL NO. 519, 1992. The proposal amends the Code by authorizing a multi-way stop at DePauw Boulevard and Purdue Road (District 1). PROPOSAL NO. 522, 1992. The proposal amends the Code by deleting intersection controls for vacated streets in the vicinity of Eli Lilly and Company (Districts 16, 21, 25). PROPOSAL NO. 524, 1992. The proposal amends the Code by deleting intersection controls on vacated streets in the vicinity of Mile Square (District 16). Councillor Gilmer

reported that the Transportation Committee heard these proposals on October 21, 1992. By a unanimous vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 510, 511, 512, 515, 516, 519, 522 and 524, 1992 were adopted on the following roll call vote; viz:

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

Proposal No. 510, 1992 was retitled GENERAL ORDINANCE NO. 115, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 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>
8, Pg.	Bluffridge Blvd & Manassas Pl	Bluffridge Blvd	Stop
8, Pg.	Manassas Ct & Manassas Pl	Manassas Pl	Yield
8, Pg.	Bluffridge Blvd & Twelve Oaks Blvd	Bluffridge Blvd	Stop
8, Pg.	Twelve Oaks Blvd & 71st St	71st 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. 511, 1992 was retitled GENERAL ORDINANCE NO. 116, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 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>
15, Pg. 3	Firestone Ci., Sawgrass Dr. & Scottsdale Dr.	Sawgrass Dr. & Scottsdale Dr	Yield

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15, Pg. 4	Heather Beach Ln & Sawgrass Dr.	Sawgrass Dr.	Yield
15, Pg. 4	Inverrary Dr. & Pebble Beach Ct.	Inverrary Dr.	Yield

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

Proposal No. 512, 1992 was retitled GENERAL ORDINANCE NO. 117, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 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>
35, Pg. 1	Calamus Ct. / Tanning Dr.	Tanning Dr.	Yield
35, Pg. 1	Copiah Ct. / Creekside Woods Dr.	Creekside Woods Dr.	Stop
35, Pg. 1	Creekside Woods Dr./ Creekstone Dr.	Creekside Woods Dr.	Stop
35, Pg. 1	Creekside Woods Dr./ Nobbe Ln.	Creekside Woods Dr.	Yield
35, Pg. 1	Creekside Woods Dr./ Panola Ct.	Creekside Woods Dr.	Yield
35, Pg. 1	Creekside Woods Dr./ Palmyra Dr.	Creekside Woods Dr.	Stop
35, Pg. 1	Creekside Woods Dr./ Tanning Dr.	Tanning Dr.	Stop
35, Pg. 1	Creekstone Dr./ Stillwood Ln.	Creekstone Dr.	Stop
35, Pg. 1	German Church Rd./ Tanning Dr.	German Church Rd.	Stop
35, Pg. 1	Palmyra Ct./ Palmyra Dr.	Palmyra Dr.	Yield
35, Pg. 1	Palmyra Dr./ Stillwood Ln.	Palmyra Dr.	Stop
35, Pg. 1	Stillwood Ct./ Stillwood Ln.	Stillwood Ln.	Stop

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

Proposal No. 515, 1992 was retitled GENERAL ORDINANCE NO. 119, 1992 and reads as follows:

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CITY-COUNTY GENERAL ORDINANCE NO. 119, 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>
25, Pg. 22	Park Ave. (WB) & 9th St.	Park Ave.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 22	Park Ave. (WB) & 9th St.	None	All Stop

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

Proposal No. 516, 1992 was retitled GENERAL ORDINANCE NO. 120, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 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>
3, Pg. 8	Thornycroft Dr. & Walney Rd.	Thornycroft Dr.	Stop
23, Pg. 6	Polco St. & 14th St.	Polco St.	Stop
25, Pg. 13	Herman St. & Market St.	None	None
32, Pg. 2	Beecher St. & St. Paul St.	None	None

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 11	Park Forest Ct. & 46th St.	46th St.	Stop
25, Pg. 13	Herman St. & Market St.	Market St.	Stop

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32, Pg. 2	Beecher St. & St. Paul St.	Beecher St.	Stop
32, Pg. 8	Empire St. & Warsaw St.	Empire St.	Stop
32, Pg. 14	McCarty St. & Wright St.	McCarty St. (EB/ SWB)	Stop

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

Proposal No. 519, 1992 was retitled GENERAL ORDINANCE NO. 122, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 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>
2, Pg. 1	DePaw Blvd. & Purdue Rd.	Purdue Rd.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg 1	Depaw Blvd. & Purdue Rd.	None	Stop

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

Proposal No. 522, 1992 was retitled GENERAL ORDINANCE NO. 124, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 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>
32 Pg. 3	Bicking St. & Delaware St.	Delaware St.	Stop
32 Pg. 3	Bicking St. & East St.	East St.	Stop
32 Pg. 8	East St. & Norwood St.	None	

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32 Pg. 8	East St. & Wyoming St.	East St.	Stop
32 Pg. 10	Home Pl & Merrill St	Merrill St.	Stop
32 Pg. 14	McCarty St. & New Jersey St.	New Jersey St.	Stop
32 Pg. 15	Merrill St. & New Jersey St.	Merrill 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. 524, 1992 was retitled GENERAL ORDINANCE NO. 125, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 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>
25 Pg. 1	Alabama St. & Pearl St.	Alabama St.	Stop
25 Pg. 1	Allegheny St. & Pierson St.		All Way
25 Pg. 5	Capitol St. & Miami St.		None
25 Pg. 8	Court St. & East St.	East St.	Stop
25 Pg. 15	Illinois St. & Pearl St.	Illinois St.	Stop
25 Pg. 17	Maryland St. & Missouri St.	Maryland St.	Stop
25 Pg. 18	Miami St. & New Jersey St.		None
25 Pg. 18	Miami St. & Roanoke St.		None
25 Pg. 18	Miami St. & Senate Av.		None
25 Pg. 21	Ohio St. & Roanoke St.		None

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

PROPOSAL NOS. 514, 518, 520, 525, 526 and 527, 1992. Councillor Gilmer asked for consent to vote on these six transportation proposals together. Consent was given.

PROPOSAL NO. 514, 1992. The proposal amends the Code by authorizing intersection controls at Broadway Street and 57th Street (District 7). PROPOSAL NO. 518, 1992. The proposal amends the Code by changing the intersection controls at Pennsylvania Street and 14th Street (District 22). PROPOSAL NO. 520, 1992. The proposal amends the Code by changing the intersection controls at Capitol Avenue and 14th Street (District 22). PROPOSAL NO. 525, 1992. The proposal amends the Code by authorizing parking restrictions for Capitol Avenue between Washington Street and Louisiana, and authorizing parking meters on Capitol Avenue (District 16). PROPOSAL NO. 526, 1992. The proposal amends the Code by authorizing one-way traffic on Merrill Street from Delaware Street to Pennsylvania Street (District 16). PROPOSAL NO. 527, 1992. The proposal amends the Code by authorizing a 40 mph speed limit on Davis Road between Brookville Road and Vandergriff Road (District 13). Councillor Gilmer reported that the Transportation Committee heard these proposals on October 21, 1992. By a 6-1 vote, the Committee reported Proposal No. 514, 1992 to the Council with the recommendation that it do pass. By a unanimous voice vote, the Committee reported Proposal Nos. 518, 520, 525, 526 and 527, 1992 to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Moriarty, for adoption. Proposal Nos. 514, 518, 520, 525, 526 and 527, 1992 were adopted on the following roll call vote; viz:

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

Proposal No. 514, 1992 was retitled GENERAL ORDINANCE NO. 118, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 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>
11, Pg. 2	Broadway St. & 57th St.	Broadway St.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 2	Broadway St. & 57th St.	None	All Stop

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

Proposal No. 518, 1992 was retitled GENERAL ORDINANCE NO. 121, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 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>
25, Pg. 23	Pennsylvania St. & 14th St. (EB)	None	Signal
25, Pg. 23	Pennsylvania St. & 14th St. (WB)	None	Signal

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 23	Pennsylvania St. & 14th Street (EB)	Pennsylvania	Stop
25, Pg. 23	Pennsylvania St. & 14th St.	Pennsylvania	Stop

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

Proposal No. 520, 1992 was retitled GENERAL ORDINANCE NO. 123, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 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>
25 Pg. 5	Capitol Av. & 14th St.	None	Signal

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25 Pg. 5	Capitol Av. & 14th Street	Capitol Av.	Stop

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

October 26, 1992

Proposal No. 525, 1992 was retitled GENERAL ORDINANCE NO. 126, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 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 certain designated streets; Section 29-271, Stopping, standing, or parking prohibited at designated locations on certain days and hours; and Section 29-283, Parking meter zones designated.

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

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 deletion of the following, to wit:

Capitol Avenue, on the east side, from
Washington Street to a point
204 feet south of Washington Street

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

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS

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

Capitol Avenue, on the east side, from
a point 204 feet south of Washington Street
to a point 291 feet south of Washington Street

SECTION 3. 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:

Capitol Avenue, on the east side, from
Washington Street to Georgia Street

Capitol Avenue, on the east side, from
300 feet south of Georgia Street
to McCarty Street

Capitol Avenue, on the west side, from
Court Street to Washington Street

Capitol Avenue, on the west side, from
Maryland Street to McCarty Street

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

TWO HOURS

Capitol Avenue, on the east side, from
Georgia Street to a point
300 feet south of Georgia Street

Capitol Avenue, on the west side, from
Washington Street to Maryland Street

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

Proposal No. 526, 1992 was retitled GENERAL ORDINANCE NO. 127, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1992

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

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

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

WESTBOUND

Merrill Street, from Delaware to Pennsylvania Street

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

Proposal No. 527, 1992 was retitled GENERAL ORDINANCE NO. 128, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 128, 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 addition of the following, to wit:

40 MPH

Davis Road, from
Brookville Road to Vandergriff Road

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:30 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 26th day of October, 1992.

October 26, 1992

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

Beert Serwaas

President

ATTEST:

Ben J. Kopy

Clerk of the Council

(SEAL)