

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

**REGULAR MEETINGS  
MONDAY, NOVEMBER 23, 1992**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, November 23, 1992, with Councillor SerVaas presiding.

The President introduced Rev. Jon A. Carlstrom, Senior Chaplain, Marion County Sheriff's Department, who led the opening prayer. Councillor Franklin invited all present to join him in the Pledge of Allegiance to the Flag. Councillor Franklin informed the Council that Rev. Carlstrom will be moving to Michigan at the end of the year. He thanked Rev. Carlstrom for his years of service with the Sheriff's Department. George Battles, Warren Township Fire Chief, and Jack Cottey, State Representative, District 89, also voiced their appreciation for Rev. Carlstrom's work.

**ROLL CALL**

President SerVaas introduced Monroe Gray, Jr., who had been elected to fill the vacancy in District 9, created by the election of Glenn Howard to the Indiana Senate.

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

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

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

**OFFICIAL COMMUNICATIONS**

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 23, 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

November 9, 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, November 12, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 584, 585, 587, 588, 589, 590, 591, 592, 595, 1992, to be held on Monday, November 23, 1992, at 7:00 p.m., in the City-County Building.

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

November 20, 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 Wednesday, November 25, 1992, a copy of LEGAL NOTICE on General Ordinance No. 129, 1992.

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

The Clerk announced that a NOTICE OF PUBLIC HEARING had been published on a proposed lease for the Wayne Township Assessor.

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:

*November 23, 1992*

FISCAL ORDINANCE NO. 73, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-five Thousand Four Hundred Fifty-Two Dollars (\$25,452) in the County Recorder's Perpetuation Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the County Recorder's Perpetuation Fund.

FISCAL ORDINANCE NO. 74, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-five Thousand Six Hundred Dollars (\$25,600) in the State and Federal Grants Fund for purposes of the Domestic Relations Counseling Bureau and reducing the unappropriated and unencumbered balance in the States and Federal Grants Fund.

FISCAL ORDINANCE NO. 75, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Forty-Two Thousand Six Hundred Sixty-five Dollars (\$142,665) in the Home Detention User Fee Fund for purposes of the Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

FISCAL ORDINANCE NO. 76, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Two Thousand Two Hundred Ninety-three Dollars (\$2,293) in the County General Fund for purposes of the Superior Court, Criminal Division, Room 1, and reducing certain other appropriations for that Court.

FISCAL ORDINANCE NO. 77, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Seventeen Thousand Three Hundred Twenty-eight Dollars (\$17,328) in the County Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

SPECIAL RESOLUTION NO. 81, 1992, recognizing the City-County Council service of Glenn L. Howard.

SPECIAL RESOLUTION NO. 82, 1992, recognizing the Community Organizations Legal Assistance Project, Inc.

SPECIAL RESOLUTION NO. 84, 1992, approving an amendment to the Public Safety Training Academy Lease between the City and the Building Authority.

SPECIAL RESOLUTION NO. 85, 1992, approving an amendment to the Marion County Jail Lease between the County and the Building Authority.

SPECIAL RESOLUTION NO. 86, 1992, approving an amendment to the Marion County Juvenile Detention Center Lease between the County and the Building Authority.

SPECIAL RESOLUTION NO. 87, 1992, establishing a petty cash and cash change funds.

SPECIAL ORDINANCE NO. 16, 1992, authorizing the issuance of City of Indianapolis, Indiana Economic Development Water Facilities Revenue Bonds, Series 1992 (Indianapolis Water Company Project) in an aggregate principal amount not to exceed \$5,000,000.

GENERAL ORDINANCE NO. 129, 1992, amending the Code by extending the current sewer service and user rates.

GENERAL ORDINANCE NO. 130, 1992, amending the Code by changing the intersection controls at Belmont Avenue and Miller Street (District 17).

GENERAL ORDINANCE NO. 131, 1992, amending the Code by deleting intersection controls at various locations in the City (District 16, 17).

GENERAL ORDINANCE NO. 132, 1992, amending the Revised Code establishing a vendor registration fee.

GENERAL ORDINANCE NO. 133, 1992, amending the Code by authorizing intersection controls in the Moss Creek subdivision (District 24).

GENERAL ORDINANCE NO. 134, 1992, amending the Code by authorizing intersection controls in the Franklin Hills Estate subdivision (District 23).

GENERAL ORDINANCE NO. 135, 1992, amending the Code by authorizing intersection controls in the Southern Lakes subdivision (District 23).

GENERAL ORDINANCE NO. 136, 1992, amending the Code by authorizing intersection controls in the Moorings subdivision (District 5).

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GENERAL ORDINANCE NO. 137, 1992, amending the Code by authorizing a multi-way stop at Villa Avenue and Walker Avenue (District 21).

GENERAL ORDINANCE NO. 138, 1992, amending the Code by authorizing Intersection controls at Moller Road and 86th Street (District 1).

GENERAL ORDINANCE NO. 139, 1992, amending the Code by authorizing intersection controls at Eagle Creek Parkway and 34th Street (District 1).

GENERAL ORDINANCE NO. 140, 1992, amending the Code by authorizing a multi-way stop at Olney Street and Tuxedo Lane (District 7).

GENERAL ORDINANCE NO. 141, 1992, amending the Code by authorizing a multi-way stop at Nowland Avenue and Wallace Avenue (District 15).

GENERAL ORDINANCE NO. 142, 1992, amending the Code by authorizing intersection controls at 65th Street and Johnson Road (District 4).

GENERAL ORDINANCE NO. 143, 1992, amending the Code by authorizing intersection controls at Keystone Avenue and National Avenue (District 24).

GENERAL ORDINANCE NO. 144, 1992, amending the Code by deleting parking restrictions on a segment of Vermont Street (District 16).

GENERAL ORDINANCE NO. 145, 1992, amending the Code by changing intersection controls at Sterling Street and 10th Street (Districts 15, 22).

GENERAL ORDINANCE NO. 146, 1992, amending the Code by changing intersection controls at Illinois Street and 14th Street (District 22).

GENERAL ORDINANCE NO. 147, 1992, amending the Code by authorizing parking restrictions for Dr. Martin Luther King, Jr. Street from 10th Street to 29th Street (Districts 9, 16).

GENERAL ORDINANCE NO. 148, 1992, 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).

GENERAL ORDINANCE NO. 149, 1992, amending the Code by authorizing parking restrictions for segments of College Avenue and Fairfield Avenue (District 6).

GENERAL ORDINANCE NO. 150, 1992, amending the Code by authorizing speed limits for Sunnyside Road from 63rd Street to 75th Street (District 5).

GENERAL ORDINANCE NO. 151, 1992, amending the Code by authorizing a speed limit on Raymond Street from Shelby Street to Meridian Street (Districts 20, 21, 25).

GENERAL ORDINANCE NO. 152, 1992, amending the Code by authorizing bus stop zones for Michigan Street and Meridian Street (District 16).

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1992, 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.

Judge Webster Brewer administered the oath of office to Monroe Gray, Jr. as City-County Councillor, District 9.

### **ADOPTION OF THE AGENDA**

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

## APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journals of September 21, October 12, October 26, and November 9, 1992. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 635, 1992. This proposal, sponsored by Councillor Golc, recognizes the Hawthorne DrugBusters. Councillor Golc asked Councillor Hinkle to join him and he read the resolution and presented a framed document to Peggy Moore, Director, Hawthorne DrugBusters. The following members of the Hawthorne DrugBusters presented a rap song: Diane Arnold, Betty Harris, Laura Harris, Misty Davis, Jacob Arnold, Jerry Lopez, Ben Cunningham, Josh Manuel and Mike McCarrell. Councillor Golc moved, seconded by Councillor Hinkle, for adoption. Proposal No. 635, 1992 was adopted by unanimous voice vote.

Proposal No. 635, 1992 was retitled SPECIAL RESOLUTION NO. 88, 1992 and reads as follows:

### CITY-COUNTY SPECIAL RESOLUTION NO. 88, 1992

A SPECIAL RESOLUTION recognizing the Hawthorne DrugBusters.

WHEREAS, the Hawthorne DrugBusters from Hawthorne Social Service Agency are 10 to 14-year-old youth who offer drug awareness presentations to children aged kindergarten through the third grade; and

WHEREAS, members of Hawthorne DrugBusters research and develop their own songs, raps, short stories and other presentation formats; and

WHEREAS, during the three years they have been organized over 50 DrugBusters members have performed before more than 2,500 people; and

WHEREAS, the enthusiastic DrugBusters have taken their don't-do-drugs message to audiences as diverse as United Way events, the Marion County 4-H Fair, the newspaper's Peanut Butter Press, special events with the Indiana Pacers and Indianapolis 500 Race, and as far away as the Indiana Day Camp at Valparaiso; 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 the good work and important message of the Hawthorne DrugBusters during the past three years, and wish them well in their future drug education work.

SECTION 2. The Council especially commends Ms. Peggy Moore who has ably encouraged and supervised the Hawthorne DrugBusters from its very beginning.

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 Boyd stated that as a point of personal privilege he wanted to thank the many city service agencies who responded to the northeastside residents who were involved in the storm that hit their area. Councillor Beadling also voiced her appreciation to the different city-county agencies.

PROPOSAL NO. 599, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 599, 1992 on November 18, 1992. The proposal, sponsored by Councillors Giffin and Jones, concerns the White River Greenway. 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 Jones, for adoption.

Ray Irvin, Co-chairman of the White River Greenway Development Board, displayed a "White River Greenway" identification sign and asked for the Council's support for this proposal.

Proposal No. 599, 1992 was adopted by unanimous voice vote. Proposal No. 599, 1992 was retitled SPECIAL RESOLUTION NO. 89, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 1992

A SPECIAL RESOLUTION concerning the White River Greenway.

WHEREAS, White River is the largest river that flows through Marion County, extending 31.3 miles through the length of the city; and

WHEREAS, through a considerable amount of volunteer cleanup manpower, generous business financial assistance and excellent public and private organizational efforts, what was once a flowing cesspool is currently being transformed into a natural resource of beauty, recreation and local pride; and

WHEREAS, the White River Greenway Development Board has been established to focus upon improving the health and future of the river; 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 the enormous amount of planning and physical work which is being done to improve the White River and its riverbanks; and applauds the interest demonstrated by hundreds of cleanup volunteers, business financial donors, city departments, the White River Greenway Development Board and by all others who are helping to improve White River.

SECTION 2. Improvements are already visible; and the Council urges the Indianapolis Department of Transportation to recognize and celebrate this progress by installing "White River Greenway" identification signs at appropriate thoroughfare approaches to the river.

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.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor O'Dell introduced Barbara Sams, Executive Director of the Indianapolis Parks Foundation.

Councillor Beadling introduced Linn Piper, Director, Metropolitan Emergency Communications Agency, and thanked him for his help in the City's recent disaster.

Councillor Jimison introduced Terrie Gray, Councillor Gray's wife.

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

PROPOSAL NO. 586, 1992. Councillor Schneider reported that the Municipal Corporations Committee heard Proposal No. 586, 1992 on November 19, 1992. The proposal appoints James O. Dillard to the Speedway Library Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor West, for adoption. Proposal No. 586, 1992 was adopted by a unanimous voice vote.

Proposal No. 586, 1992 was retitled COUNCIL RESOLUTION NO. 73, 1992 and reads as follows:

### CITY-COUNTY COUNCIL RESOLUTION NO. 73, 1992

A COUNCIL RESOLUTION appointing James O. Dillard to the Speedway Library Board.

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

SECTION 1. As a member of the Speedway Library Board, the Council appoints:

James O. Dillard

SECTION 2. The appointment made by this resolution is for a term ending October 25, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

## INTRODUCTION OF PROPOSALS

PROPOSAL NO. 604, 1992. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the leasing of space to provide offices for the Wayne Township Assessor"; and the President referred it to the Administration and Finance Committee.

Councillor Rhodes asked for consent to advance Proposal No. 604, 1992 and hear it after the Introduction of Proposals. The Administration and Finance Committee has already heard Proposal No. 604, 1992. Consent was given.

PROPOSAL NO. 605, 1992. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION determining a need to lease office space at 5258 North Tacoma Avenue for the Washington Township Assessor"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 606, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$10,332 for Voters Registration to cover current year postage expenditures"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 607, 1992. Introduced by Councillors Ruhmkorff and O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the sale of the Certificate of Need to The Health and Hospital Corporation (H&H) and approving the execution of a Purchase Agreement between the Board of Commissioners and H&H"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 608, 199. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$625,000 for the Department of Metropolitan Development, Development Services Division, to purchase a new computer system"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 609, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$591,971 for the Department of Metropolitan Development, Public Housing Division, to renovate additional housing units and to develop programs to enhance self-sufficiency skills for residents"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 610, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending and recodifying certain benefits provided for sworn members of the Indianapolis Police Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 611, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by revising certain benefits provided for sworn members of the Indianapolis Fire Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 612, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by revising certain benefits provided for sworn members of the Marion County Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 613, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE reallocating \$375,000 from the E911 Fund to the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 614, 1992 . Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE reallocating \$134,000 from the County General Fund to the Supplemental Public Defender Fees Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 615, 1992. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by repealing the section concerning supplemental juror fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 616, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning air pollution permit fees and the creation of a special, non-reverting fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 617, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE



DISTRICT FISCAL ORDINANCE transferring and appropriating \$150,000 for the Department of Public Works to cover costs associated with the summer storms and the fall leaf program"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 618, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code to add a Parking Management Division to the Department of Transportation"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 619, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by moving the Ordinance Violations Bureau from the Controller's Office to within the Parking Management Division of the Department of Transportation"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 620, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for McFarland Farms subdivision (District 24)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 621, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Allangale Woods subdivision (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 622, 1992. Introduced by Councillors Brents, Giffin and Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for various locations located in the City (Districts 16, 24, 19)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 623, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Pappas Drive and Yucatan Drive (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 624, 1992. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Spring Lane and Pershing Road (District 2)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 625, 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 Gimber Street (District 21)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 626, 1992. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on English Avenue east of St. Peter Street (District 21)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 627, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting parking restrictions on Sutherland Avenue from Park Avenue to College Avenue (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 628, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Northeastern Avenue on the west side from Southeastern Avenue to a point 125 feet north of Southeastern Avenue (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 629, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in the speed limit on Southeastern Avenue from Raymond Street to McGaughey Road from 45 mph to 40 mph (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 630, 1992. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in the speed limit on Southport Road between McFarland Road and Madison Avenue from 30 mph to 25 mph (District 20)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 631, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit on 30th Street from 35 mph to 30 mph between Fall Creek North Drive and Martindale Avenue (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 632, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an 11,000 pound weight limit restriction on Fall Creek Road between Kessler Boulevard and Shadeland Avenue and by deleting the 11,000 pounds weight limit restriction on 56th Street between Emerson Avenue and I-465 (District 4)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 633, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an 11,000 pound weight limit restriction on Routiers Avenue from 30th Street to 25th Street, on Roy Road from Post Road to Routiers, and on Boehning Avenue from 25th Street to Routiers Avenue (District 12)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 634, 1992. Introduced by Councillors Short and Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting weight limit restrictions on Morris Street from Madison Avenue to Shelby Street and on Prospect Street from Madison Avenue to Shelby Street (Districts 16, 21, 25)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 636, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by extending the current solid waste disposal user fee for 1993"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 645, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of space to provide offices for the Prosecuting Attorney"; and the President referred it to the Administration and Finance Committee.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 604, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 604, 1992 on November 23, 1992. The proposal authorizes the leasing of space to provide offices for the Wayne Township Assessor. The property is located at 7740 West New York Street. It was originally located at the intersection of Country Club and Rockville Road, but it was discovered that this property was located in a flood plain. The State Tax Board will be meeting this week to consider this proposal, if approved by the Council. Councillor Rhodes said that he abstained from voting in Committee on this proposal because of a conflict of interest. He will also abstain from voting tonight. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Hinkle, for adoption.

Councillor Curry stated that his copy of the Lease still shows the original location of the property. He suggested that the Lease be amended to show the location of the property at 7740 West New York Street. Councillor Hinkle moved, seconded by Councillor Short, to amend the Lease by inserting the correct address, 7740 West New York Street, where appropriate. This motion passed by unanimous voice vote.

Proposal No. 604, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Coughenour, Rhodes*

2 NOT PRESENT: *Giffin, Williams*

Proposal No. 604, 1992 was retitled SPECIAL RESOLUTION NO. 90, 1992 and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 90, 1992

A SPECIAL RESOLUTION authorizing Marion County, Indiana to enter into a Lease Agreement and Option to Purchase to provide office space for the Wayne Township Assessor and approving and authorizing other actions in respect thereto.

WHEREAS, the Assessor of Wayne Township, Marion County, Indiana (the "Assessor"), currently occupies office space at the City-County Building (the "City-County Building"); and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), adopted Special Resolution No. 44, 1992, dated September 15, 1992, deeming it necessary to provide additional office space to meet the existing staff requirements for the Assessor; and

WHEREAS, no such additional office space is available in the City-County Building; and

WHEREAS, pursuant to Indiana Code 36-1-10 *et. seq.* Marion County, Indiana (the "County"), deems it necessary to enter into a Lease Agreement and Option to Purchase (the "Lease") between D & S Investments, an Indiana general partnership, as lessor (the "Lessor"), and the County in the substantially final form submitted herewith; and

WHEREAS, pursuant to Indiana Code 36-3-4-18, this Lease must be approved by the City-County Council prior to effectuating the foregoing lease arrangement; now therefore:

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

SECTION 1. The Lease, as submitted herewith, is hereby approved by the City-County Council, subject to approval by the City-County Administrative Board.

SECTION 2. The Mayor of the City of Indianapolis (the "Mayor"), as the executive of the County, is authorized to execute and deliver the proposed Lease with such changes as the City-County Administrative Board may approve.

SECTION 3. The Mayor is authorized to execute and deliver any and all documents as he deems necessary and appropriate to effectuate the transaction contemplated by the Lease.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the City-County Council and approval by the Mayor.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 637, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on November 20, 1992". The Council did not schedule Proposal No. 637, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 637, 1992 was retitled REZONING ORDINANCE NO. 122, 1992 and is identified as follows:

REZONING ORDINANCE NO. 122, 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-5ll classification to provide for residential development.

PROPOSAL NOS. 638-644, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 20, 1992". The Council did not schedule Proposal Nos. 638-644, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 638-644, 1992 were retitled REZONING ORDINANCE NOS. 123-129, 1992 and are identified as follows:

REZONING ORDINANCE NO. 123, 1992. 92-Z-75 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT #23.  
8502 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS.  
STEVE MARTIN and R.L. COLSON request the rezoning of 5.0 acres, being in the D-A District, to the D-1 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 124, 1992. 92-Z-98 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.  
3092 BROOKSIDE PARKWAY, NORTH DRIVE (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the REZONING of 2.3 acres, being in the D-5 District, to the SU-2 classification to legally establish an existing school.

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REZONING ORDINANCE NO. 125, 1992. 92-Z-99 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
1401, 1501, 1601 EAST 10TH STREET and 1501 EAST MICHIGAN (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 80 acres, being in the D-5 District, to the SU-2 classification to legally establish an existing school.

REZONING ORDINANCE NO. 126, 1992. 92-Z-100 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT #22.  
1229 EAST OHIO STREET (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 3.84 acres, being in the D-8 District, to the SU-2 classification to conform zoning for an existing school.

REZONING ORDINANCE NO. 127, 1992. 92-Z-113 (Amended) PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #24.  
8505 SOUTH SHELBY STREET (approximate address), INDIANAPOLIS.  
JOSEPH and MARGARET PATTERSON, by Michael J. Kias, request the rezoning of 1.56 acres, being in the D-A District, to the C-1 classification to provide for hospital related uses.

REZONING ORDINANCE NO. 128, 1992. 92-Z-115 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT #19.  
4541 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.  
VALCOM, INCORPORATED requests the rezoning of 9.3 acres, being in the D-3 District, to the I-2-S classification to provide for industrial development.

REZONING ORDINANCE NO. 129, 1992. 92-Z-117 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
125 NORTH ORIENTAL STREET (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 2.8 acres, being in the D-8 District, to the SU-1 classification to legally establish an existing church.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 504, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 504, 1992 on November 11, 1992. The proposal amends the Code to change the amount of the Enhanced 9-1-1 telephone system fee. State law allows counties to impose a fee for the enhanced telephone service for emergencies. The user fee will be increased to sixty-four cents per month per access line. Proposal No. 504, 1992 was amended to reflect sixty-four cents instead of the maximum percentage as allowed in the state law. When this fee was first imposed it was thirty cents per month, which was adequate to take care of Metropolitan Emergency Communication Agency's (MECA) contract for the various hardware pieces and the service and line charges from Indiana Bell. The state law was amended in 1990 to provide that this fee can be used to pay personnel expenses as well as hardware costs of the system. In the miscellaneous revenue section of the 1993 budget ordinance there is a provision for an additional \$1.7 million that will be raised by increasing the user fee to the sixty-four cent level. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor Moriarty stated that she will vote against the increase because when the Council implemented the thirty-cent fee three years ago, the amount was not to be increased for a period of ten years.

Councillor Black stated that he cannot vote for this proposal because he believes that this is a tax increase.

Councillor Schneider moved the question. This motion was seconded by Councillor Gilmer. This motion failed by the following roll call vote; viz:

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

Councillor West stated that the state law reads as follows:

"The fee must be sufficient to pay the cost of the installation and operation of the enhanced emergency telephone system for all participating agencies."

The installation costs are covered by the present thirty-cent user fee. The actual costs of operating the system including personnel expenses are now known. The user fee "must be sufficient" to pay for these costs. The Indianapolis Police Department (IPD), Indianapolis Fire Department (IFD), the Sheriff's Department, the excluded cities and townships have various public safety answering points, all of which need to receive some of these funds.

Councillor Curry stated that during the 1993 budget deliberations there was a question about the funding of public safety. At that time an increase in the E-911 fees was suggested as a possible source of funding. He believes that if any of the Councillors who voted for the public safety budget now vote against funding this budget by increasing the E-911 user fees are dishonest, not only to their constituents, but also to the people who provide for everyone's public safety.

Councillor Borst stated that he will vote against this proposal because:

- (1) He disagrees with Councillor West's interpretation of the words "must be sufficient." That was written before the Indiana Code was amended in 1990 to add personnel costs as an authorized expense.
- (2) When MECA was created all central costs were to be shared. The \$2 million that is set aside each year out of the local option income tax is to fund the central costs of MECA. It was never intended to fund each individual agency.
- (3) The funds from this increase in user fees will go only to IPD, IFD and the Sheriff's Department. There are other public safety answering points in Beech Grove, Speedway, Lawrence and in some of the townships. No where does it show what funds these agencies will receive. Councillor Borst said that Councillor West has assured him that sometime next year, the other agencies will receive some of these funds.
- (4) No one is in charge. MECA did not sponsor this proposal because it did not need to. The thirty cents it receives will continue. The additional thirty-four cents will go to other agencies. An ordinance was passed earlier this year that took MECA out of the Department of Public Safety. MECA answers to no one. He believes that someone in either the city or county executive branch should be sponsoring this proposal, not Councillor West.

Councillor Golc asked why the Council is asking for sixty-four cents. Councillor West replied that state law states that in a county with a consolidated city, the surcharge may not exceed three percent of the average monthly telephone access line charge in the unit. According to the fee structure from Indiana Bell three percent of the average monthly telephone access line charge equals sixty-four cents.

Councillor Golc asked if the MECA Board requested this increase. Councillor West replied that the MECA Board did not request this increase because it is not a MECA fee; it is an E-911 fee.

Councillor Coughenour stated that she will support this ordinance because she has been assured that the townships and the excluded communities will receive their fair proration of this increase.

Councillor Franklin asked if this proposal is not passed where the money will come from to pay for this service. John von Arx, County Auditor, said that funding for the E-911 would have to come from the county fund balance next year. The following year County Option Income Tax (COIT) or property taxes would have to be increased.

Councillor Beadling asked the Auditor what percentage will the City of Lawrence receive. Mr. von Arx replied that next year the excluded cities and townships will be calculated into the formula. Right now the funds will be distributed only to IPD, IFD and the Sheriff's Department.

Proposal No. 504, 1992, as amended, failed on the following roll call vote; viz:

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

Councillor Ruhmkorff said that this proposal is a police and fire emergency issue and since Councillor Gray is a fireman, she believes that he should abstain from voting because this might be considered a conflict of interest.

The President asked the Parliamentarian to rule on this matter.

Robert G. Elrod, General Counsel and Parliamentarian, said that the Council's rules do not make any provision for disqualifying Councillors on the basis of conflicts of interest. It is up to the Councillors themselves to ask to be disqualified.

Councillor O'Dell stated that he would like to know what Councillor Gray's position will be in the future on similar matters--will he vote or will he abstain.

Councillor Boyd stated that he believes Councillor O'Dell's asking any Councillor on how he is going to vote in the future is out-of-line.

SerVaas said that the vote on Proposal No. 504, 1992 is inconclusive. It will be carried over to the next Council meeting.

PROPOSAL NO. 584, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 584, 1992 on November 23, 1992. The proposal authorizes tax anticipation borrowing for the City of Indianapolis during the period from January 1, 1993 through December 31, 1993. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:42 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor West, for adoption. Proposal No. 584, 1992 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Beadling, Gilmer, Gray*

*2 NOT PRESENT: Giffin, Williams*

Proposal No. 584, 1992 was retitled FISCAL ORDINANCE NO. 78, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1992

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund and the Consolidated County Fund during the period January 1, 1993, through December 31, 1993, in anticipation of current taxes levied in the year 1992 and collectible in the year 1993 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

- A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 1993 distributions of Taxes levied for such Account, and the June and December 1993 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Thirty-four Million Four Hundred Fifty-nine Thousand Four Hundred Ninety-five Dollars (\$34,459,495) and the interest cost of making temporary loans for the Consolidated City Police Force Account;
- B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1993 distributions of Taxes levied for such Fund, and the June and December 1993 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Four Million Seven Hundred Seventy-two Thousand Five Hundred Forty-seven Dollars (\$4,772,547) and the interest cost of making temporary loans for the Police Pension Fund;
- C. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 1993 distributions of Taxes levied for such Account, and the June and December 1993 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Twenty-six Million Seven Hundred Eighty-seven Thousand Two Hundred Forty-one Dollars (\$26,787,241) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and
- D. that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1993 distributions of Taxes levied for such Fund, and the June and December 1993 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Four Million Two Hundred



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Fourteen Thousand Seven Hundred Thirty-four Dollars (\$4,214,734) and the interest cost of making temporary loans for the Firemen's Pension Fund; and

- E. that there will be insufficient funds in the Consolidated County Fund to meet the current expenses payable from such Fund prior to the June and December 1993 distributions of Taxes levied for such Fund, and the June and December 1993 distributions of Taxes to be collected for the Consolidated County Fund will collectively amount to more than Ten Million Nine Hundred Nineteen Thousand Two Hundred Eighty-four Dollars (\$10,919,284) and the interest cost of making temporary loans for the Consolidated County Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 1992 and in the course of collection for the year 1993; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Twenty-eight Million Dollars (\$28,000,000) in anticipation of Taxes for the Account for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 1993 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 1993 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 1993 Budget Fund No. 160, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Four Million Dollars (\$4,000,000) in anticipation of Taxes for the Fund for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 1993 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 1993 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 1993 Budget Fund No. 810, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty-two Million Dollars (\$22,000,000) in anticipation of Taxes for the Account for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 1993 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 1993 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1993 Budget Fund No. \_\_\_\_\_, Character \_\_\_\_\_, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Four Million Dollars (\$4,000,000) in anticipation of Taxes for the Fund for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund from the June and December 1993 distributions of Taxes for the Firemen's Pension Fund to the Firemen's Pension Fund, the 1993 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Firemen's Pension Fund 1993 Budget Fund No. 811, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated County Fund of the City in the maximum principal amount of Nine Million Dollars (\$9,000,000) in anticipation of Taxes for the Fund for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated County Fund and there is hereby appropriated and pledged to

the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated County Fund from the June and December 1993 distributions of Taxes for the Consolidated County Fund to the payment of the principal of the Consolidated County Fund, the 1993 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1993 Budget Fund No. 102, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 7. The Warrants for each Fund or Account may be issued in one series, designated Series 1993 Warrants ("Series 1993 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1993 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1993 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 1993 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 30, 1993. All Series B Warrants and Series 1993 Warrants shall mature and be payable not later than December 31, 1993. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 7. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 7. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 6 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 7. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_ Principal \$ \_\_\_\_\_

CITY OF INDIANAPOLIS  
TAX ANTICIPATION TIME WARRANT, SERIES 1993 \_\_\_\_\_  
( \_\_\_\_\_ [FUND] [ACCOUNT])

On the \_\_\_\_\_ day of \_\_\_\_\_, 1993, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of

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the Marion County Treasurer, ex officio Treasurer of the City, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of \_\_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1992, and payable in the [first installment] [second installment] for the year 1993 ("Taxes"), which Taxes are now in course of collection for the \_\_\_\_\_ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ \_\_\_\_\_ evidencing a temporary loan in anticipation of the Taxes for the \_\_\_\_\_.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_\_ day of December, 1992, for the purpose of providing funds for the \_\_\_\_\_ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the \_\_\_\_\_ of the City for the year of 1992, payable in the [first installment] [second installment] for the year 1993, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Mayor, City of Indianapolis

COUNTERSIGNED:

By: \_\_\_\_\_  
Controller, City of Indianapolis

ATTEST:

By: \_\_\_\_\_  
Clerk, City of Indianapolis

EXHIBIT A

(Advances)  
(to be placed on a separate page)

SECTION 8. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 9. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 585, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 585, 1992 on November 23, 1992. The proposal authorizes tax anticipation borrowing for the County General Fund and the Welfare General Fund during the period from January 1, 1993 through December 31, 1993. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:43 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 585, 1992 was adopted on the following roll call vote; viz:

22 YEAS: *Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short*

0 NAYS:

5 NOT VOTING: *Beadling, Gray, Ruhmkorff, Smith, West*

Proposal No. 585, 1992 was retitled FISCAL ORDINANCE NO. 79, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1992

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Welfare Fund ("Funds") during the period from January 1, 1993, through December 31, 1993, in anticipation of current taxes levied in the year 1992 and collectible in the year 1993 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

November 23, 1992

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Welfare Fund pending the receipt of Taxes actually levied in 1992 and in the process of collection in 1993, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

- A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Sixty-Three Million Five Hundred Ninety-Two Thousand One Hundred Twenty-Six Dollars (\$63,592,126) and the interest cost of making temporary loans for the County General Fund; and
- B. that there will be insufficient funds in the County Welfare Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Welfare Fund will collectively amount to more than Twenty-Three Million Three Hundred Thirteen Thousand Eight Hundred Twenty-Eight Dollars (\$23,313,828) and the interest cost of making temporary loans for the County Welfare Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 1992 and in the course of collection for the year 1993; now, therefore:

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

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Sixty-Three Million Five Hundred Ninety-Two Thousand One Hundred Twenty-Six Dollars (\$63,592,126) in anticipation of Taxes for the Fund for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 1993 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Welfare Fund of the County in the maximum principal amount of Twenty-Three Million Three Hundred Thirteen Thousand Eight Hundred Twenty-Eight Dollars (\$23,313,828) in anticipation of Taxes for the Fund for the year 1993, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Welfare Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Welfare Fund from the June and December 1993 distributions of Taxes for the County Welfare Fund, to the County Welfare Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 1993 Warrants ("Series 1993 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1993 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1993 for that Fund. The Series B Warrants for each Fund may be issued in amount not to exceed the amount of the December 1993 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 1993. All Series B Warrants and Series 1993 Warrants shall mature and be payable not later than December 31, 1993. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set

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forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_ Principal \$ \_\_\_\_\_

MARION COUNTY  
TAX ANTICIPATION TIME WARRANT, SERIES 1993 \_\_\_\_\_  
( \_\_\_\_\_ FUND)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1993, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of \_\_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 1992, and payable from the [first installment] [second installment] for the year 1993 ("Taxes"), which Taxes are now in course of collection for the County \_\_\_\_\_ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), evidencing a temporary loan in anticipation of the Taxes for the County \_\_\_\_\_ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 1992, for the purpose of providing funds for the County \_\_\_\_\_ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County \_\_\_\_\_ Fund for the year of 1992, payable in the [first installment] [second installment] for the year 1993, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

November 23, 1992

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1993.

THE BOARD OF COMMISSIONERS OF  
MARION COUNTY, INDIANA

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

COUNTERSIGNED:

By: \_\_\_\_\_  
Mayor, City of Indianapolis

ATTEST:

By: \_\_\_\_\_  
Auditor, Marion County

EXHIBIT A  
(Advances)  
(to be placed on a separate page)

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SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to

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Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

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

PROPOSAL NOS. 587, 588, 589, 590, 591 and 592, 1992. The President ruled that these proposals will be discussed and voted on together. PROPOSAL NO. 587, 1992. The proposal appropriates \$50,000 for the Prosecuting Attorney to pay for additional computer equipment and consulting services associated with the computer system linkup between the Prosecutor's Office and the Indiana Prosecuting Attorney's Council. PROPOSAL NO. 588, 1992. The proposal appropriates \$46,500 for the Prosecuting Attorney to assist in operating the Multi-Agency Drug Interdiction Task Force funded by a state grant. PROPOSAL NO. 589, 1992. The proposal appropriates \$66,000 for the Prosecuting Attorney to provide Adult Protective Services funded by a state grant. PROPOSAL NO. 590, 1992. The proposal appropriates \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project funded by a state grant. PROPOSAL NO. 591, 1992. The proposal appropriates \$47,189 for the County Sheriff to continue the Victim Assistance Program funded by a state grant. PROPOSAL NO. 592, 1992. The proposal appropriates \$23,283 for the County Sheriff to continue to pay the salary of one employee who is assisting with the Child Abuse Awareness Program funded by a state grant. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 587, 588, 589, 590, 591 and 592, 1992 on November 11, 1992. By a unanimous vote, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 587, 588, 589, 590, 591 and 592, 1992, 1992 were adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Borst, Brents, Coughenour, Hinkle*

2 NOT PRESENT: *Giffin, Williams*

Proposal No. 587, 1992 was retitled FISCAL ORDINANCE NO. 80, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Fifty Thousand Dollars (\$50,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.



November 23, 1992

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to utilize grant funding to purchase additional work stations, upgrade network software and obtain computer consulting services.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	\$28,000
4. Capital Outlay	22,000
TOTAL INCREASE	\$50,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	\$50,000
TOTAL REDUCTION	\$50,000

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

Proposal No. 588, 1992 was retitled FISCAL ORDINANCE NO. 81, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Forty-six Thousand Five Hundred Dollars (\$46,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to appropriate money from the Drug-Free Communities Grant to assist in funding of the Multi-Agency Drug Interdiction Task Force.

SECTION 2. The sum of Forty-six Thousand Five Hundred Dollars (\$46,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$40,500
3. Other Services and Charges	2,283
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	3,717
TOTAL INCREASE	\$46,500

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	\$46,500
TOTAL REDUCTION	\$46,500

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

Proposal No. 589, 1992 was retitled FISCAL ORDINANCE NO. 82, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Sixty-six Thousand Dollars (\$66,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of enabling the Prosecuting Attorney to request funds appropriated by the Indiana General Assembly to provide Adult Protective Services.

SECTION 2. The sum of Sixty-six Thousand Dollars (\$66,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$55,000
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>11,000</u>
TOTAL INCREASE	\$66,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$66,000</u>
TOTAL REDUCTION	\$66,000

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

Proposal No. 590, 1992 was retitled FISCAL ORDINANCE NO. 83, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Hundred Twenty-eight Thousand One Hundred Thirty-four Dollars (\$128,134) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for the Prosecuting Attorney to continue utilizing a grant from the Indiana Criminal Justice Institute for purposes of the Victim Advocate Program.

SECTION 2. The sum of One Hundred Twenty-eight Thousand One Hundred Thirty-four Dollars (\$128,134) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$108,046
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>20,088</u>
TOTAL INCREASE	\$128,134

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$128,134</u>
TOTAL REDUCTION	\$128,134

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

Proposal No. 591, 1992 was retitled FISCAL ORDINANCE NO. 84, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Forty-seven Thousand One Hundred Eighty-nine Dollars (\$47,189) in the State and Federal Grants Fund for purposes of the County Sheriff 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 (z) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to appropriate grant money from the Indiana Criminal Justice Institute in order to continue a current Victim Assistance Program.

SECTION 2. The sum of Forty-seven Thousand One Hundred Eighty-nine Dollars (\$47,189) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$37,340
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>9,849</u>
TOTAL INCREASE	\$47,189

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$47,189</u>
TOTAL REDUCTION	\$47,189

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

Proposal No. 592, 1992 was retitled FISCAL ORDINANCE NO. 85, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-three Thousand Two Hundred Eighty-three Dollars (\$23,283)

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in the State and Federal Grants Fund for purposes of the County Sheriff 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 (z) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to continue paying the salary of one employee in the Child Sexual Abuse Program.

SECTION 2. The sum of Twenty-three Thousand Two Hundred Eighty-three Dollars (\$23,283) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$18,899
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	4,384
TOTAL INCREASE	\$23,283

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	\$23,283
TOTAL REDUCTION	\$23,283

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

PROPOSAL NO. 504, 1992. Councillor Beadling moved, seconded by Councillor Ruhmkorff, to reconsider Proposal No. 504, 1992, as amended. This motion passed by the following roll call vote; viz:

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

Proposal No. 504, 1992, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 504, 1992, as amended, was retitled GENERAL ORDINANCE NO. 153, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 153, 1992

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana by amending Chapter 10, Article III to change the surcharge imposed for Enhanced 9-1-1.

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

November 23, 1992

SECTION 1. Article III of Chapter 10 of the Code of Indianapolis and Marion County, Indiana is hereby amended by adding the underlined language and removing the crosshatched language to read as follows:

ARTICLE III. EMERGENCY TELEPHONE SYSTEM FEE

Sec. 10-151. Enhanced 9-1-1.

The emergency telephone system fee provided for in IC 36-8-16-5 ("Enhanced 9-1-1 surcharge") is hereby adopted by the city-county council for and on behalf of Marion County.

Sec. 10-152. Surcharge imposed.

Said enhanced 9-1-1 surcharge in an amount of ~~thirty cents (\$0.30)~~ sixty-four cents (\$0.64) is hereby imposed on each exchange access facility (as defined in IC 36-8-16-3) used in Marion County.

Sec. 10-153. Rate amendment authorized.

The amount of this enhanced 9-1-1 surcharge may be changed by ordinance but no more than once in any calendar year.

Sec. 10-154. Surcharge not to exceed statutory limit.

This enhanced 9-1-1 surcharge shall remain uniform and shall not exceed the amount specified in IC 36-8-16-6(b).

SECTION 2. This ordinance shall be in effect from and after the first day of the second month after the month during which this ordinance is adopted in compliance with IC 36-3-4-14.

PROPOSAL NO. 595, 1992. The proposal authorizes the issuance and sale of bonds of the City for the purpose of procuring funds to pay for projects for the general public safety and welfare within the City. Councillor Curry reported that Proposal No. 595, 1992 is not ready to be heard and asked for consent to strike the proposal. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 1, 1992. Councillor Ruhmkorff asked Councillor McClamroch to give the Committee report since she voted against this proposal in Committee. Councillor McClamroch reported that the Community Affairs Committee heard Proposal No. 1, 1992 on November 18, 1992. The proposal, sponsored by Councillor Mullin, concerns electronic welfare benefits transfers. Councillor McClamroch said this resolution urges the state legislature to study the electronic transfer of welfare benefits, and especially to use Marion County as a test site for that proposition. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch moved, seconded by Councillor Mullin, for adoption.

Councillor Mullin said that there are no appropriations associated with this proposal.

Councillor Hinkle asked who is going to pay for this pilot program. He yielded to Councillor O'Dell.

Councillor O'Dell moved, seconded by Councillor Hinkle, to amend Proposal No. 1, 1992 by inserting a new Section 3 as follows:

SECTION 3. If the State of Indiana decides to test or implement electronic welfare benefits transfers in Marion County, the Indianapolis City-County Council shall be notified, briefed, and must review and approve the plan before it can be executed. A qualification of this approval is that the test or implementation does not incur any additional cost to Marion County.

Councillor Mullin said he had no objection to this amendment.

Councillor Ruhmkorff said she will be voting against this proposal because there will be too many small stores that will not be able to afford this electronic equipment.

Councillor O'Dell's amendment passed by unanimous voice vote. Proposal No. 1, 1992, as amended, was adopted on the following roll call vote; viz:

*20 YEAS: Black, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, SerVaas, Shambaugh, Short, West*

*3 NAYS: Ruhmkorff, Schneider, Smith*

*4 NOT VOTING: Beadling, Borst, Dowden, Rhodes*

*2 NOT PRESENT: Giffin, Williams*

Proposal No. 1, 1992, as amended, was retitled SPECIAL RESOLUTION NO. 91, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 1992

A SPECIAL RESOLUTION concerning electronic welfare benefits transfers.

WHEREAS, more than 90,000 people in Marion County depend upon some form of public welfare; and

WHEREAS, it is important and beneficial for welfare recipients, welfare administrators, and for the taxpayers, that the public assistance program constantly seeks new, innovative and more efficient ways to deliver welfare services; and

WHEREAS, a pioneering welfare administration technique in Baltimore, Maryland, involves an electronic benefits transfer program that has already been test marketed and is being expanded state-wide in Maryland; and

WHEREAS, such a system replaces paper checks, food coupons and cash with a modern form of debit card electronic transfer of welfare funds which results in more rapid payments, more accurate and faster accounting by welfare administrators, less welfare check theft, and administrative savings that can then be used for job training, economic development, consumer education and other beneficial uses; 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 urges welfare department officials and all other interested citizens to closely examine the Baltimore, Maryland, experience and other evidence concerning innovative electronic benefits transfers as a means of modernizing the public welfare delivery system.

SECTION 2. As the state's largest county, Marion County is willing to consider this county, or a portion therein, as a test site for this fresh approach if the Indiana General Assembly and the State of Indiana approve exploring the use of modern electronic technology in this aspect of public welfare.

SECTION 3. If the State of Indiana decides to test or implement electronic welfare benefits transfers in Marion County, the Indianapolis City-County Council shall be notified, briefed, and must review and approve the plan before it can be executed. A qualification of this approval is that the test or implementation does not incur any additional cost to Marion County.

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. 437, 1992. Councillor Ruhmkorff reported that the Community Affairs Committee heard Proposal No. 437, 1992 on November 18, 1992. The proposal approves a schedule of rates for Marion County Healthcare Center. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor

November 23, 1992

Ruhmkorff moved, seconded by Councillor Smith, for adoption. Proposal No. 437, 1992 was adopted on the following roll call vote; viz:

*17 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, SerVaas, Shambaugh, Short, Smith*

*0 NAYS:*

*10 NOT VOTING: Black, Borst, Dowden, Franklin, Golc, Gray, Rhodes, Ruhmkorff, Schneider, West*

*2 NOT PRESENT: Giffin, Williams*

Proposal No. 437, 1992 was retitled GENERAL RESOLUTION NO. 11, 1992 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 1992

A GENERAL RESOLUTION approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center.

WHEREAS, the Board of Managers of the Marion County Healthcare Center is directed, by Indiana Code 12-30-3-18, to fix the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center; and

WHEREAS, on June 17, 1992, the Board of Managers of the Marion County Healthcare Center unanimously voted to increase the schedule of charges and to fix that schedule of charges as described in Exhibit A attached; and

WHEREAS, these rates are based on a fair and reasonable estimate of the cost of care and do not anticipate any profit from rendering such care; now, therefore:

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

SECTION 1. The City-County Council of Indianapolis and Marion County hereby approves the schedule of charges set by the Marion County Healthcare Center Board of Managers at its June meeting as described in Exhibit A attached.

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

PROPOSAL NO. 500, 1992. Councillor Ruhmkorff reported that the Community Affairs Committee heard Proposal No. 500, 1992 on November 18, 1992. The proposal transfers and appropriates \$130,000 for the Marion County Healthcare Center to pay for needed items. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Ruhmkorff moved, seconded by Councillor Franklin, for adoption. Proposal No. 500, 1992 was adopted on the following roll call vote; viz:

*20 YEAS: Black, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Short*

*0 NAYS:*

*7 NOT VOTING: Beadling, Borst, Franklin, Rhodes, Schneider, Smith, West*

*2 NOT PRESENT: Giffin, Williams*

Proposal No. 500, 1992 was retitled FISCAL ORDINANCE NO. 86, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 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 Hundred and Thirty Thousand Dollars

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(\$130,000) in the County General Fund for purposes of the Marion County Healthcare Center and reducing certain other appropriations for that Center.

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 (l) 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 Healthcare Center to have sufficient funds in the proper Characters to pay for needed purchases.

SECTION 2. The sum of One Hundred Thirty Thousand Dollars (\$130,000) 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>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$ 80,000
3. Other Services and Charges	<u>50,000</u>
TOTAL INCREASE	\$130,000

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

<u>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 90,000
4. Capital Outlay	<u>40,000</u>
TOTAL REDUCTION	\$130,000

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

PROPOSAL NO. 517, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 517, 1992 on November 18, 1992. The proposal amends the Code by changing the intersection controls at Livingston Avenue and 16th Street (Districts 16, 17). 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 Golc, for adoption. Proposal No. 517, 1992 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, SerVaas, Shambaugh, Smith, West

0 NAYS:

6 NOT VOTING: Beadling, Gilmer, Rhodes, Ruhmkorff, Schneider, Short

2 NOT PRESENT: Giffin, Williams

Proposal No. 517, 1992 was retitled GENERAL ORDINANCE NO. 154, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 154, 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>
23, Pg. 4	Livingston Av. & 16th 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>
23, Pg. 4	Livingston Av. & 16th St.	16th 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. 543, 1992. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 543, 1992 on November 19, 1992. The proposal transfers and appropriates \$100,000 for the Department of Parks, Parks Management Division, to cover overtime costs. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 543, 1992 was adopted on the following roll call vote; viz:

*21 YEAS: Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West*

*0 NAYS:*

*6 NOT VOTING: Black, Brents, Golc, Hinkle, Schneider, Shambaugh*

*2 NOT PRESENT: Giffin, Williams*

Proposal No. 543, 1992 was retitled FISCAL ORDINANCE NO. 87, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 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 Hundred Thousand Dollars (\$100,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Parks Management Division, and reducing certain other appropriations from the Recreation and Sports Facilities 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 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to pay for overtime costs associated with wind and storm damage.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) 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>DEPARTMENT OF PARKS AND RECREATION PARKS MANAGEMENT DIVISION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	\$100,000
TOTAL INCREASE	\$100,000

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

<u>DEPARTMENT OF PARKS AND RECREATION RECREATION AND SPORTS FACILITIES DIVISION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	\$100,000
TOTAL REDUCTION	\$100,000

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

PROPOSAL NO. 576, 1992. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 576, 1992 on November 19, 1992. The proposal transfers and appropriates \$70,000 for the Department of Parks and Recreation, Golf Division, to cover utility and other services costs. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Schneider, for adoption. Proposal No. 576, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Black, Shambaugh*

2 NOT PRESENT: *Giffin, Williams*

Proposal No. 576, 1992 was retitled FISCAL ORDINANCE NO. 88, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Seventy Thousand Dollars (\$70,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Golf Division, 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 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Golf Division, to cover utility and tee-time reservation costs.

SECTION 2. The sum of Seventy Thousand Dollars (\$70,000) 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>DEPARTMENT OF PARKS AND RECREATION</u> <u>GOLF DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	<u>\$70,000</u>
TOTAL INCREASE	\$70,000

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

<u>DEPARTMENT OF PARKS AND RECREATION</u> <u>GOLF DIVISION</u>	<u>PARK GENERAL FUND</u>
2. Supplies	<u>\$30,000</u>
4. Capital Outlay	<u>40,000</u>
TOTAL REDUCTION	\$70,000

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

PROPOSAL NO. 593, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 593, 1992 on November 11, 1992. The proposal transfers and appropriates \$55,000 for the Superior Court, Juvenile Division/Detention Center, to cover a projected deficit in salaries. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass

as amended. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 593, 1992, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 593, 1992, as amended, was retitled FISCAL ORDINANCE NO. 89, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 89, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Fifty-five Thousand Dollars (\$55,000) in the County General 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 between Characters for the Juvenile Division.

SECTION 2. The sum of Fifty-five Thousand Dollars (\$55,000) 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 GENERAL FUND</u>
1. Personal Services	\$55,000
TOTAL INCREASE	\$55,000

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

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$29,382
3. Other Services and Charges	10,000
4. Capital Outlay	<u>15,618</u>
TOTAL REDUCTION	\$55,000

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

PROPOSAL NO. 596, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 596, 1992 on November 18, 1992. The proposal amends the Code by authorizing a 4-way stop at the intersection of Oxford Street and 58th Street (District 7). 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 Rhodes, for adoption. Proposal No. 596, 1992 was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Black, Hinkle, Gray

2 NOT PRESENT: Giffin, Williams

Proposal No. 596, 1992 was retitled GENERAL ORDINANCE NO. 155, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 155, 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. 10	Oxford St. & 58th St.	Oxford 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. 10	Oxford St. & 58th 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.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:35 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 23rd day of November, 1992.

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



President

ATTEST:



Clerk of the Council

(SEAL)