

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

**REGULAR MEETINGS
MONDAY, MAY 10, 1993**

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 7:13 p.m. on Monday, May 10, 1993, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

The President acknowledged former Councillor Mike Vollmer. Councillor Rhodes introduced Jayne Gerdeman, new director of the Cable Communications Agency.

Councillor Beadling recognized: (1) members of the Disabled American Veterans: John Weiss, Chapter 52; Commander Duane Straw; Henry "Clancy" Kern, 6th District Commander; Pat Paterson, past State Commander; Joseph McAndrews, John Shattner, Millard Harmon, and Bob Firestine; (2) members of the Vietnam Veterans of American: Jesse Bullens, and Chuck Creasey; (3) representatives from the Veterans Hospital: James Griese, William Parrish and Fr. Joseph Kline; (4) Col. Doug Moorman, Reserves, Ft.

Benjamin Harrison Hospital; and (5) members of the Auxiliary of the Disabled American Veterans.

Councillor Jimison introduced P. Diane Jackson, Director, Martin Luther King Multi Service Center. Councillor Black introduced his friend Al Tolin.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 10, 1993, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

April 27, 1992

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 29, 1993, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 230 and 232, 1993, to be held on Monday, May 10, 1993, at 7:00 p.m., in the City-County Building.

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

April 30, 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, May 6, 1993, a copy of LEGAL NOTICE on General Ordinance No. 40, 1993.

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

May 10, 1993

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 25, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Three Hundred Seventy-two Thousand Seventy-four Dollars (\$372,074) in the Public Safety Escrow Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Public Safety Escrow Fund.

FISCAL ORDINANCE NO. 26, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixty-one Thousand Two Hundred Ninety-five Dollars (\$61,295) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 27, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Fourteen Thousand Two Hundred Twenty-seven Dollars (\$14,227) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 28, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Ten Thousand Dollars (\$10,000) 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.

FISCAL ORDINANCE NO. 29, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixty-two Thousand Four Hundred Dollars (\$62,400) in the Alcohol and Drug Service Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Alcohol and Drug Fund.

FISCAL ORDINANCE NO. 30, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the Supplemental Public Defender Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the Supplemental Public Defender Fund.

FISCAL ORDINANCE NO. 31, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Sixty-four Thousand Two Hundred Twenty Dollars (\$64,220) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that department.

SPECIAL RESOLUTION NO. 20, 1993, recognizing William K. McGowan, Jr.

SPECIAL RESOLUTION NO. 21, 1993, recognizing radio newscaster Fred Heckman.

SPECIAL RESOLUTION NO. 22, 1993, approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$5,000.

SPECIAL RESOLUTION NO. 23, 1993, amending Special Resolution No. 80, 1992 by clarifying participation dates of County employees who join the Public Employees Retirement Fund.

GENERAL ORDINANCE NO. 39, 1993, amending the Code concerning sick leave for police officers.

GENERAL ORDINANCE NO. 40, 1993, amending the Code concerning pre-trial release fees.

GENERAL ORDINANCE NO. 41, 1993, amending the Code authorizing intersection controls for the subdivisions of Huntington Pointe and Huntington Ridge.

GENERAL ORDINANCE NO. 42, 1993, amending the Code authorizing stop signs at Banner Avenue and Dunn Way, and Dunn Way and Prairie Depot (District 19).

GENERAL ORDINANCE NO. 43, 1993, amending the Code authorizing stop signs at Katherine Drive and Louise Drive (District 25).

GENERAL ORDINANCE NO. 44, 1993, amending the Code authorizing stop signs at Allegheny Street and Cincinnati Street (District 22).

GENERAL ORDINANCE NO. 45, 1993, amending the Code authorizing a traffic signal for the main entrance of North Willow Mall on West 86th Street (2370 W) (District 3).

GENERAL ORDINANCE NO. 46, 1993, amends the Code by authorizing (1) a multi-way stop at the intersection of Lafayette Road and Moore Road, and (2) a speed reduction on a segment of Lafayette Road from Wilson Road to County Line Road (District 1).

GENERAL ORDINANCE NO. 47, 1993, amending the Code by changing the intersection controls from traffic signals to stop signs at Station Street and 25th Street (District 10).

GENERAL ORDINANCE NO. 48, 1993, amending the Code by authorizing one-way traffic for the alley between College Avenue and 63rd Place (District 2).

GENERAL ORDINANCE NO. 49, 1993, amending the Code by authorizing parking restrictions on a segment of Pepperidge Drive from Mitthoefer Road to dead end (District 5).

Respectfully,
s/Stephen Goldsmith
Stephen Goldsmith

Councillor Shambaugh informed the Council that Mayor Stephen Goldsmith issued a proclamation dedicating the month of May as Huntington Disease Awareness Month. Councillor Shambaugh said that he is a trustee of the Indiana Chapter of the Huntington Disease Society of America.

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of April 26, 1993. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 265, 1993. This proposal, sponsored by Councillors Boyd, SerVaas and West, remembers Richard W. Guthrie. Councillor Boyd read the resolution and presented a framed document to Mr. Guthrie's widow Nancy, who expressed appreciation for the resolution. Mr. Guthrie's family was also present. Councillor Boyd moved, seconded by Councillor West, for adoption. Proposal No. 265, 1993 was adopted by unanimous voice vote.

Proposal No. 265, 1993 was retitled SPECIAL RESOLUTION NO. 24, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1993

A SPECIAL RESOLUTION remembering Richard W. Guthrie.

WHEREAS, Richard W. Guthrie was a native of Indianapolis, a graduate of Howe High School and Indiana University, a World War II Army Air Force veteran, a successful attorney, the Speaker of the Indiana House

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of Representatives in the 1960's, a member of the Indianapolis Public Schools Board for thirteen years and its President, and a husband and father; and

WHEREAS, he had a keen interest in IPS sports and in parents being actively involved with their schools and with their children; and

WHEREAS, being on the school board of a large urban school system required him to devote many countless hours of time in Board and other school meetings and functions--which he willingly gave; and

WHEREAS, Mr. Guthrie will long be remembered for his calming voice of moderation, for his breadth of experience and leadership, for his accessibility, and for his stabilizing presence; now, therefore:

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

SECTION 1. The Indianapolis City-County Council pauses to remember the life and contributions of Indianapolis Public Schools Board President Richard W. Guthrie.

SECTION 2. Mr. Guthrie set the highest possible example of service for future men and women of goodwill who have the desire to repay their community with personal commitments of time and talent.

SECTION 3. The Council extends its most sincere condolences to Nancy Guthrie, and to their children and grandchildren.

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. 266, 1993. This proposal, sponsored by Councillor Black, recognizes King's Kids. Councillor Black read the resolution and presented a framed document to Diane Jackson, who expressed appreciation for the recognition. The following members of the King's Kids oratory team performed readings: Arthur Charles Jackson III, Ryan Keith Neal, Darryl Lockett, Joseph Randle, Matthew Bluit, Bakari Posey, James Lewis, James Segrest, Ti'rone Smith, Dominic Ball and Gregory O'Bannon. Councillor Gilmer moved, seconded by Councillor Jimison, for adoption. Proposal No. 266, 1993 was adopted by unanimous voice vote.

Proposal No. 266, 1993 was retitled SPECIAL RESOLUTION NO. 25, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1993

A SPECIAL RESOLUTION recognizing King's Kids.

WHEREAS, three years ago, a group of young people 8 to 12 years old were organized at Martin Luther King, Junior, Multi-Service Center to perform readings of nationally known African-American leaders; and

WHEREAS, the message of these King's Kids is of peace and unity, and is performed approximately 24 times a year in front of assembled groups; and

WHEREAS, the readings require hours upon hours of disciplined study and practice; 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 King's Kids from the Martin Luther King, Junior, Multi-Service Center.

SECTION 2. The Council congratulates the dedicated young members of King's Kids, as well as their parents, instructors and all others who help make this program successful.

SECTION 3. May their important message of peace and unity have a positive and lasting effect upon the performers and upon their audiences.

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

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

Councillor Beadling asked for consent to hear Proposal No. 151, 1993 next. Consent was given.

PROPOSAL NO. 151, 1993. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 151, 1993 on April 27, 1993. The proposal, sponsored by Councillors Beadling, Brents, Gilmer, Golc and SerVaas, designates a section of Tenth Street as the "Vietnam Veterans Memorial Way." By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Beadling moved, seconded by Councillor Gilmer, for adoption. At Councillor Beadling's request, President SerVaas read the proposal.

Councillor Beadling asked David McAndrews, Anna Marie McAndrews, Edna McAndrews, Angela McAndrews Stroud, District Commander Clancy Kern, Commander Duane Straw, Jesse Bullens, and Larry Beadling to join her at the podium. She asked Mr. Beadling to explain the signs that will be erected. Mr. Beadling explained that there will be seven signs along the Vietnam Veterans Memorial Way with pictures of the following deceased veterans: First Lt. William W. Bancroft, Jr., PFC Joseph Louis Golc, Jr., Captain Mary Therese Klinker, Spec. 4 Charles K. Larkins, Sgt. John Joseph McAndrews, Sgt. Gregory McCray, and Lt. Commander Charles D. Schoonover. Commander Kern thanked the Council for this memorial way.

Proposal No. 151, 1993 was adopted by a unanimous voice vote. Proposal No. 151, 1993 was retitled SPECIAL RESOLUTION NO. 28, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1993

A SPECIAL RESOLUTION designating a section of Tenth Street as the "Vietnam Veterans Memorial Way."

WHEREAS, the Vietnam War in Southeast Asia from 1964 through 1975 was fought by the United States and several allied nations to protect South Vietnam from being overrun by Communist North Vietnam; and

WHEREAS, during that war over eight million American men and women served honorably in America's armed forces, 238 were awarded the Medal of Honor for exceptional valor, and 58,000 lost their lives; and

WHEREAS, thousands of Indianapolis citizens wore the army, navy, air force and marine uniforms during that era, and today 25,400 residents --almost twice as many as any other Indiana county--are Vietnam era veterans; and

WHEREAS, the Department of Veterans Affairs, Veterans Outreach Center in Indianapolis has had 32,760 visits by Vietnam era veterans, and thousands have used the Richard L. Roudebush Medical Center hospitals--indicating the intensity of that war upon our citizens; and

WHEREAS, it is fitting and proper that Indiana's capital city visibly remembers the sacrifices made by these sons and daughters who served their nation during the Vietnam War; now, therefore:

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

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SECTION 1. The Indianapolis City-County Council, representing the people of this city, does hereby honor the memory of those who served in the armed forces during the Vietnam War by designating Tenth Street, from White River Parkway, West Drive to Wilson Street as the "Vietnam Veterans Memorial Way."

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

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

PROPOSAL NO. 267, 1993. This proposal, sponsored by Councillor Golc, recognizes Department of Public Works retiree Bobby Lee Dorney. Councillor Golc read the resolution and presented a framed document to Mr. Dorney, who expressed appreciation for the recognition. Also present were Belinda Dorney, Theresa Davis, Doug Dorney, Doug Davis, Earl Piper and Anna Piper. Councillor Golc moved, seconded by Councillor West, for adoption. Proposal No. 267, 1993 was adopted by unanimous voice vote.

Proposal No. 267, 1993 was retitled SPECIAL RESOLUTION NO. 26, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1993

A SPECIAL RESOLUTION recognizing DPW retiree Bobby Lee Dorney.

WHEREAS, this year Mr. Bobby Lee Dorney retired from the Indianapolis Department of Public Works where he had worked as a painter and millwright for over 24 years; and

WHEREAS, he grew up in Illinois during the Depression, attended one-room schools named Prairie and Frogeye, and served in the U.S. Army during the Korean War; and

WHEREAS, Mr. Dorney lived in the westside of Indianapolis since moving here at the age of 18; and

WHEREAS, he worked at the old Hygrade Packing plant and at the Indiana University Medical Center before joining the pre-UNIGOV Indianapolis city Belmont public works plant; and

WHEREAS, during that nearly quarter century, Mr. Dorney exhibited great skill and proficiency in mastering the highly technical skills needed to make the Belmont treatment complex work efficiently; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Mr. Bobby Lee Dorney for his nearly quarter century of skilled service performed at the Indianapolis Department of Public Works Belmont Plant.

SECTION 2. The Council wishes him the best of health and happiness--and many, many, happy hours with his children and grandchildren.

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

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

PROPOSAL NO. 268, 1993. This proposal, sponsored by Councillors Golc, Borst and Jones, recognizes the 1993 White River Park State Games. Councillor Golc read the resolution and presented framed documents to Mike Vollmer and Charles Wilt, co-chairmen of the White River Park State Games Steering Committee, who expressed appreciation for the recognition. Also present were Jim Titus, executive director, White River Park State Games; Kurt Wise, Hoosier Lottery; Brenda Bush, deputy director, White River Park Development Commission;

Janet Muston, director, Information Systems for the White River Park State Games; Cathy Nordholm, member of the Board of Governors; and Debra Eshenbacker, White River Park Development Commission. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 268, 1993 was adopted by unanimous voice vote.

Proposal No. 268, 1993 was retitled SPECIAL RESOLUTION NO. 27, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1993

A SPECIAL RESOLUTION recognizing the 1993 White River Park State Games.

WHEREAS, Indiana's White River Park State Games provides amateur sports competition in the tradition of the Olympic Games; and

WHEREAS, the finals again this year will be held along the banks of the White River State Park and at other venues in Indianapolis on July 16-18, 1993; and

WHEREAS, the friendly--but spirited--State Games competition will celebrate health and fitness in 19 sports, recognize the potential of White River State Park and culminate the countless hours of time and energy freely given by the hundreds of volunteers needed to conduct this national model of state games; and

WHEREAS, the White River Park State Games attracts amateur athletes of all skill levels from ages eight to eighty; and

WHEREAS, the deadline for entering this year is June 7, 1993; 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 hereby recognizes all the athletes, sponsors, volunteers, staff, coaches, judges and all the others who make the White River Park State Games a success.

SECTION 2. The Council urges all who participate in amateur sports to enter the 1993 Games, and give it their best shot to earn the right to compete in the July Finals.

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

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

PROPOSAL NOS. 133, 182, 183, 184, 186, and 187, 1993. Councillor Borst asked for consent to vote on these six board appointments together. Consent was given. PROPOSAL NO. 133, 1993. The proposal reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. PROPOSAL NO. 182, 1993. The proposal reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 183, 1993. The proposal reappoints Joanna Walker to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 184, 1993. The proposal reappoints Walter Stephen Johnes to the Metropolitan Board of Zoning Appeals Division II. PROPOSAL NO. 186, 1993. The proposal reappoints Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 187, 1993. The proposal reappoints David R. Shirley to the Metropolitan Board of Zoning Appeals Division III. Councillor Borst reported that the Metropolitan Development Committee heard the proposals on April 27, 1993. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Borst moved, seconded by Councillor West, for adoption. Proposal Nos. 133, 182, 183, 184, 186, and 187, 1993, were adopted by unanimous voice vote.

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Proposal No. 133, 1993 was retitled COUNCIL RESOLUTION NO. 44, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1993

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission.

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 Metropolitan Development Commission, the Council appoints:

Jack H. Hall, M.D.

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

Proposal No. 182, 1993 was retitled COUNCIL RESOLUTION NO. 45, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1993

A COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I.

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 Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Alan Retherford

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

Proposal No. 183, 1993 was retitled COUNCIL RESOLUTION NO. 46, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 1993

A COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I.

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 Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Joanna Walker

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

Proposal No. 184, 1993 was retitled COUNCIL RESOLUTION NO. 47, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 1993

A COUNCIL RESOLUTION reappointing Walter Stephen Johnes to the Metropolitan Board of Zoning Appeals Division II.

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 Metropolitan Board of Zoning Appeals Division II, the Council appoints:

Walter Stephen Johnes

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

Proposal No. 186, 1993 was retitled COUNCIL RESOLUTION NO. 48, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 1993

A COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III.

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 Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Mary Jane Klepek

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

Proposal No. 187, 1993 was retitled COUNCIL RESOLUTION NO. 49, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 1993

A COUNCIL RESOLUTION reappointing David R. Shirley to the Metropolitan Board of Zoning Appeals Division III.

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 Metropolitan Board of Zoning Appeals Division III, the Council appoints:

David R. Shirley

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

PROPOSAL NO. 229, 1993. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 229, 1993 on April 27, 1993. The proposal approves the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan

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Development (DMD). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst introduced Mr. Kozlowski.

Councillor Short voiced his approval of Mr. Kozlowski.

Councillor Boyd asked when Mr. Kozlowski's comprehensive plan for DMD will be completed. Mr. Kozlowski replied that the mission and goal statements will be in draft form by the end of June.

Councillor Hinkle observed that Mr. Kozlowski was appointed as director of DMD three weeks ago; however, the Councillors received his resume today. He informed Mr. Kozlowski that if communication between DMD and the Council does not improve, he will not approve his appointment next year.

Councillor Borst moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 229, 1993 was adopted by unanimous voice vote.

Proposal No. 229, 1993 was retitled COUNCIL RESOLUTION NO. 50, 1993 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1993

A COUNCIL RESOLUTION approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development for a term ending December 31, 1993.

WHEREAS, pursuant to IC 36-3-3-8 and Section 2-142 of the "Code of Indianapolis and Marion County, Indiana", a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Daniel T. Kozlowski to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 1993; now, therefore:

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

SECTION 1. Daniel T. Kozlowski is approved and confirmed by the City-County Council to serve as Director of the Department of Metropolitan Development at the pleasure of the Mayor for a term ending December 31, 1993.

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

Councillor Borst recognized Nancy Silvers, Deputy Mayor.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 231, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$108,095 to the County Recorder to cover the personnel expense of six temporary and six permanent employees through the end of the year;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 242, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,053 for the County

Recorder to purchase additional magnetic desk storage and work stations;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 243, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$15,500,378 for the Department of Metropolitan Development, Division of Neighborhood and Development Services, to comply with the Redevelopment Act which requires that monies given or paid for redevelopment purposes shall be credited to the redevelopment fund; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 244, 1993. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$115,300 for the Department of Parks and Recreation, Recreation and Special Facilities Division and Natural Resources Division, to use for purposes as specified by donors such as developing Skiles Test Estate Park"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 245, 1993. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing the issuance and sale of a Note of the City of Indianapolis Park and Recreation District and to appropriate the proceeds of the Note"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 246, 1993. Introduced by Councillors Curry and Boyd. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reviewing the Department of Utilities of the City of Indianapolis and Marion County;" and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 247, 1993. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for The Willows subdivision (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 248, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Chatam Pointe subdivision (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 249, 1993. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for various locations in the City of Lawrence"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 250, 1993. Introduced by Councillors Gilmer and Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Meridian Park subdivision, section 1 (District 9)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 251, 1993. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing

intersection controls for the Grassey Creek subdivision (District 13)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 252, 1993. Introduced by Councillors Ruhmkorff and O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Cumberland Estates, Sections 1 and 2 (Districts 12, 13)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 253, 1993. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Bretton Wood subdivision (District 9)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 254, 1993. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Decatur Commons subdivision (District 19)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 255, 1993. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the North by Northwest Business Park (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 256, 1993. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Astor Street and Reisner Street (District 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 257, 1993. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing multi-way stops at the intersections of Camberwood Drive and Crickwood Drive, Camberwood Drive and Lanston Drive, and Crickwood Drive and Lippincott Way (District 2)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 258, 1993. Introduced by Councillors Brents and Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs at the intersections of Muskingum Street and 10th Street, Muskingum Street and St. Clair Street, and Muskingum Street and Walnut Street (District 16, 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 259, 1993. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing multi-way stop signs at Illinois Street and 43rd Street (District 6)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 260, 1993. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing multi-way stop signs at Illinois Street and 40th Street (District 6)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 261, 1993. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Clarendon Road and 38th Street (District 9)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 262, 1993. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in intersection controls at Dearborn Street and Massachusetts Avenue (District 10)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 263, 1993. Introduced by Councillors Dowden and Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in the speed limit for Crawfordsville Road from High School Road to Georgetown Road and for Shadeland Avenue from I-465 to 82nd Street (Districts 4, 8, 11)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 264, 1993. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting the College Avenue "bus lane" between Fairfield Avenue and Massachusetts Avenue and authorizing turn restrictions and on-street parking controls on this segment (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 272, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$970,000 for the Department of Public Safety, Police Division, for construction of an annex to the North District IPD headquarters and for construction of a new South District IPD headquarters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 273, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$3,287,500 for the Department of Public Safety, Fire Division, to replace: (1) Fire Station Nos. 18 and 28, (2) the heat, ventilation and air conditioning system at IFD headquarters on New Jersey Street, and (3) the ventilation systems at various fire stations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 269, 1993. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of City of Indianapolis, Indiana Economic Development Health Care Facility Revenue Bond (Castleton Nursing Home Project) Series 1993 in the principal amount not to exceed \$2,500,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 286, 1993. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE limiting the authority of any city or county official, department or agency to provide governmental services outside the Consolidated City or Marion County;" and the President referred it to the Rules and Public Policy Committee.

Councillor McClamroch asked that if the Council adopts Proposal No. 246, 1993 in its current form is it authorizing the Rules and Public Policy Committee to take action without the subject matter coming back to the Council.

Councillor Curry replied that the procedure would be as follows: (1) the proposal would be discussed at the committee level; (2) if the committee recommends adoption it would come to the full Council; (3) if the Council passes the proposal, the proposal provides the President to appoint a group of people who would then report back to the committee; and (4) any result from that committee hearing would come to the full Council for final action, if any.

Councillor Moriarty stated that she would like the President to reconsider sending Proposal No. 246, 1993 to the Rules and Public Policy Committee because she believes that the chairman of Rules and Public Policy Committee is predisposed to the sale of Citizens Gas.

The President stated that if a conflict of interests arises he would expect the chairman at the proper time to surrender the gavel to someone else to conduct the meeting.

Councillor Schneider said that he agrees with Councillor Moriarty.

Councillor Golc said that he believes that the Council established a group to study this same issue and that a biannual report is given at the Public Works Committee. Councillor Curry responded that a group was appointed a couple of years ago, but the group was disbanded. It was decided that the Citizens Gas and Coke Utility, which is a body under the Department of Public Utilities, give the biannual reports at the Public Works Committee.

Councillor Gray said that he believes that it is a waste of time to keep investigating Citizens Gas.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 217, 1993. The proposal is a rezoning ordinance for Washington Township, Councilmanic District 4, 4920 East 56th Street (approximate address). Proposal No. 217, 1993 was certified by the Metropolitan Development Commission on April 8, 1993. On April 12, 1993, the Council voted to schedule a public hearing for April 26, 1993. On April 26, 1993 the Council postponed it until May 10, 1993. Councillor Dowden made the following announcement:

Mr. President:

The petitioners and remonstrators in Rezoning Petition 92-Z-132 have reached a settlement which has been incorporated in additional commitments which were filed with the Metropolitan Development Commission on May 10, 1993.

I therefore move that Proposal No. 217, 1993 as modified by the additional commitments be adopted without formal hearing.

s/Councillor William Dowden

Councillor Dowden's motion was seconded by Councillor Borst and passed by unanimous voice vote.

Proposal No. 217, 1993 was adopted by the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Giffin, Gilmer, Gray*

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 217, 1993 was retitled REZONING ORDINANCE NO. 55. 1993 and is identified as follows:

REZONING ORDINANCE NO. 55, 1993. 92-Z-132 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 04.
4920 EAST 56TH STREET (approximate address), INDIANAPOLIS.
PARK PLAZA ASSOCIATES, LTD, by Thomas Michael Quinn, requests the rezoning of 2.76 acres, being in the D-A District, to the C-3 classification to provide for commercial uses.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 270, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 270, 1993 on May 5, 1993. The proposal authorizes the amendment of S.R. 39, 1992, as amended, to extend the expiration date contained in the Inducement Resolution for Herff Jones, Inc. to December 31, 1993. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Jones, for adoption. Proposal No. 270, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Franklin, Gilmer*

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 270, 1993 was retitled SPECIAL RESOLUTION NO. 29, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1993

A SPECIAL RESOLUTION amending City-County Special Resolution No. 39, 1992, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 39, 1992, as amended, (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Herff Jones, Inc. (the "Company") which Inducement Resolution set an expiration date of May 31, 1993 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

May 10, 1993

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

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

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

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

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

PROPOSAL NO. 271, 1993. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 271, 1993 on May 5, 1993. The proposal is an inducement resolution for Associated Investors, Incorporated in an amount not to exceed \$6,500,000 for the acquisition and renovation of existing multi-family residential rental units for use in low and moderate income housing. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Williams, for adoption. Proposal No. 271, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Brents, Hinkle*

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 271, 1993 was retitled SPECIAL RESOLUTION NO. 30, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1993

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-I-II.9 and IC 36-7-I2 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, Associated Investors, Incorporated, an Indiana corporation, (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the existing Sunrise Apartments consisting of 16 apartment buildings containing a total of approximately 349,492 square feet constructed into 320 apartments plus community, maintenance and laundry buildings located at 4514 Candletree Circle, Indianapolis, Indiana; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (seven (7) jobs at the end of one year and three years plus the creation of a construction job payroll of approximately \$1,537,000 over the approximately two year renovation period) and the creation of business opportunities to

be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

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

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

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December 31, 1993, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as it may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

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

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

PROPOSAL NO. 274, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on May 7, 1993". The Council did not schedule Proposal No. 274, 1993 for hearing pursuant to IC 36-7-46-608. Proposal No. 274, 1993 was retitled REZONING ORDINANCE NO. 56, 1993 and is identified as follows:

REZONING ORDINANCE NO. 56, 1993. 93-Z-31 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.
6813 EAST 21ST STREET, INDIANAPOLIS.
WOLFSON-YOUNG CORPORATION requests the rezoning of 0.79 acre, being in the D-4 District, to the C-3 classification to provide for commercial use.

PROPOSAL NOS. 275-285, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 7, 1993". The Council did not schedule Proposal Nos. 275-285, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 275-285, 1993 were retitled REZONING ORDINANCE NOS. 57-67, 1993 and are identified as follows:

REZONING ORDINANCE NO. 57, 1993. 93-Z-32 (DP-2) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 05.
8160 HUNTERS PLACE (approximate address), INDIANAPOLIS.
THE SHOREWOOD CORPORATION, by William F. LeMond, requests the rezoning of 0.37 acre, being in the SU-39 District, to the DP classification to provide for one single-family residential use.

REZONING ORDINANCE NO. 58, 1993. 93-Z-35 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
1502 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.
THE BRADFORD GROUP, by Stephen D. Mears, requests the rezoning of 20.63 acres, being in the D-6/FF District, to the D-4/FF classification to provide for residential development.

REZONING ORDINANCE NO. 59, 1993. 93-Z-36 (Amended) WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
8450 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.
CONDELCO, by Stephen D. Mears, requests the rezoning of 10.72 acres, being in the D-A and SU-43/ SU-34/FF Districts, to the D-5II/FF classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 60, 1993. 93-Z-37 (Amended) WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
8424 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.
CONDELCO, by Stephen D. Mears, requests the rezoning of 8.68 acres, being in the D-A, SU-43 and SU-34/FF District, to the C-3/FF classification to provide for commercial development.

REZONING ORDINANCE NO. 61, 1993. 93-Z-39 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 17.
5225-5229 REGENT STREET (approximate address), INDIANAPOLIS.
M. S. D. OF WAYNE TOWNSHIP, by Philip A. Nicely, requests the rezoning of 0.37 acre, being in the D-5 District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 62, 1993. 93-Z-40 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
3870 SOUTH FOLTZ STREET (approximate address), INDIANAPOLIS.
MELODY COMMUNITIES requests the rezoning of 11.06 acres, being in the SU-1 District, to the D-5II classification to provide for single family residential development.

REZONING ORDINANCE NO. 63, 1993. 93-Z-42 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 15.
3205 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
THOMAS E. GROTE, by Michael J. Kias, requests the rezoning of 1.50 acres, being in the C-5,1-3-U District, to the C-4 classification to provide for the development of a drug store.

REZONING ORDINANCE NO. 64, 1993. 93-Z-43 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.

2807 TANSEL ROAD (approximate address), INDIANAPOLIS.

GREENLEAF DEVELOPMENT, INC., by Harry F. McNaught, Jr., requests the rezoning of 32.9 acres, being in the D-A District, to the D-4 classification to provide for single-family development by platting.

REZONING ORDINANCE NO. 65, 1993. 93-Z-44 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 05.

9825 EAST 96TH STREET (approximate address), INDIANAPOLIS.

VAHIK S. SAHAKIAN requests the rezoning of 2.02 acres, being in the D-A District, to the D-S classification to provide for the development of two single-family homes.

REZONING ORDINANCE NO. 66, 1993. 93-Z-46 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

3730 NORTH KITLEY AVENUE (approximate address), INDIANAPOLIS.

J. & J. ENGINE EXCHANGE, by Mitch Sever, requests the rezoning of 5.265 acres, being in the D-3 District, to the I-2-U classification to provide for an industrial use within an existing building.

REZONING ORDINANCE NO. 67, 1993. 93-Z-51 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.

15 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.

EATON AND LAUTH DEVELOPMENT COMPANY, by Therese Fehribach Coffey, requests the rezoning of 10.4 acres, being in the I-3-S District, to the C-3 classification to provide for the development of a supermarket and community shopping center.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 653, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 653, 1992 on April 28, 1993. The proposal appropriates \$30,000 for the Marion County Public Defender Agency to technically amend its 1993 budget. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:54 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 653, 1992 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, McClamroch, Moriarty, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Hinkle, Rhodes*

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 653, 1992 was retitled FISCAL ORDINANCE NO. 32, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1993

A FISCAL ORDINANCE technically amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Marion County Public Defender and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ccc) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of providing a technical amendment to the Public Defender's 1993 budget.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) 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>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$30,000</u>
TOTAL INCREASE	\$30,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$30,000</u>
TOTAL REDUCTION	\$30,000

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

PROPOSAL NO. 179, 1993. The proposal appropriates \$86,214 for the County Auditor to pay the law enforcement continuing education program fees for the law enforcement agencies within Marion County. Councillor Rhodes asked for consent to postpone Proposal No. 179, 1993 until May 24, 1993. Consent was given.

PROPOSAL NO. 196, 1993. The proposal appropriates \$21,851 for the Superior Court, Juvenile Division/Detention Center, to pay the salary of a truancy probation officer. Councillor Dowden asked for consent to postpone Proposal No. 196, 1993 until June 10, 1993. Consent was given.

PROPOSAL NO. 199, 1993. Councillor Dowden said that since he did not vote on the prevailing side in Committee, Councillor Franklin will give the Committee report. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 199, 1993 on April 28, 1993. The proposal, sponsored by Councillor Jimison, appropriates \$3,600 for the Superior Court, Criminal Division, Probation Department, to fund a workshop series that will provide assessments of probations. Councillor Franklin pointed out that this appropriation is funded by adult probation fees, not by taxes. By a 5-4 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider said that he will not support this proposal because he believes it is a waste of money. He urged the Councillors to vote against this ordinance.

Councillor Jimison urged the passage of this proposal. She said that the judges of Marion County support this program.

The President called for public testimony at 9:04 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Jimison, for adoption. Proposal No. 199, 1993 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, West, Williams

6 NAYS: Borst, Dowden, Gilmer, Schneider, Shambaugh, Smith
2 NOT PRESENT: Jones, Mullin

Proposal No. 199, 1993 was retitled FISCAL ORDINANCE NO. 33, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Three Thousand Six Hundred Dollars (\$3,600) in the Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the Adult Probation Fees 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 I.02 (II) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department to provide a workshop series that would assess probationers for job/educational readiness and life skills.

SECTION 2. The sum of Three Thousand Six Hundred Dollars (\$3,600) 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:

SUPERIOR COURT, CRIMINAL DIVISION, <u>PROBATION DEPARTMENT</u> 3. Other Services and Charges TOTAL INCREASE	<u>ADULT PROBATION FEES FUND</u> \$3,600 \$3,600
--	--

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

Unappropriated and Unencumbered Adult Probation Fees Fund TOTAL REDUCTION	<u>ADULT PROBATION FEES FUND</u> \$3,600 \$3,600
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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. 230, 1993. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 230, 1993 on May 6, 1993. The proposal approves certain public purpose grants for support of the arts. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jimison asked if there was any organization which applied for funding and was rejected. Councillor O'Dell replied that there was one.

Councillor Borst stated that Starlight Musicals is a struggling organization. He asked why it does not receive more funding. Norman Brandenstein, Director of Services, Arts Council of Indianapolis (ACI), replied that Starlight Musicals scored low on its evaluation sheet in the area of administration. Councillor Borst asked if the \$13,796 that is being appropriated for ACI Community Service projects is spent only on projects. Mr. Brandenstein stated that at the request of the Council two years ago, ACI has designated that money for specific projects.

The President called for public testimony at 9:14 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Schneider, for adoption. Proposal No. 230, 1993 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Dowden, Ruhmkorff, Schneider*

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 230, 1993 was retitled GENERAL RESOLUTION NO. 11, 1993 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 1993

A GENERAL RESOLUTION approving certain public purpose grants for support of the arts.

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

SECTION 1. The following grants totaling \$871,900 approved by Special Resolution No. 6, 1993 of the Board of Parks and Recreation, for support of the arts are approved for the following organizations in the amounts set opposite their respective names:

Indianapolis Symphony Orchestra	\$197,923	
Indianapolis Museum of Art	148,671	
The Children's Museum	137,807	
WFYI TV/FM 90 (Channel 20)	81,942	
Indiana Repertory Theatre	65,400	
Indianapolis Opera	32,480	
Indianapolis Ballet Theatre	32,408	
Cathedral Arts	12,576	
Indianapolis Civic Theatre	11,320	
Indianapolis Art League	11,047	
Total - Direct Support		\$731,574
American Pianists Association	\$ 3,500	
Arts Indiana, Inc.	6,000	
Dance Kaleidoscope	7,500	
Edyvean Repertory Theatre	5,500	
Eiteljorg Museum	5,000	
Freetown Village, Inc.	4,800	
Hoosier Salon Patrons Association	5,340	
Indianapolis Arts Chorale	2,000	
Indianapolis Chamber Orchestra	5,000	
Indianapolis Children's Choir	7,000	
Indianapolis Symphonic Chorus	2,000	
Madame Walker Urban Life Center	7,000	
National Art Museum of Sports	2,000	
Phoenix Theatre, Inc.	8,000	
Starlight Musicals	5,000	
Stories, Inc.	3,540	
Theatre on the Square	6,000	
Very Special Arts Indiana	8,500	
Writer's Center of Indianapolis	6,000	
Young Audiences of Indiana, Inc.	8,500	
Total - General Operating Support		108,180
Broadway United Methodist Church, Jubilee Summer Program	1,000	
Clowes Memorial Hall	3,125	

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Diva Productions	1,000	
Ensemble Music Society	2,125	
Indiana Architectural Foundation	1,000	
Indiana Humanities Council	1,000	
Indiana Performing Arts Academy	1,000	
Indianapolis Chapter, American Guild of Organists	1,000	
Indianapolis Dance Company	3,000	
Institute for Education & Technology, 703 Art Gallery	1,000	
New World Chamber Orchestra	1,100	
White River Sound Sweet Adelines	1,000	
Witherspoon Performing Arts Center	1,000	
Total - Special Project Support		18,350
Arts Council of Indianapolis		<u>13,796</u>
Grand Total		<u>\$871,900</u>

SECTION 2. The Indianapolis City-County Council directs that the Arts Council of Indianapolis shall be the designated coordinating agency for city arts grants; and shall work closely and cooperatively with the Arts Services Section of the Recreation Division of the Indianapolis Department of Parks and Recreation and its Board, and with each arts organization. The Arts Council of Indianapolis shall prepare a City-County Council advisory list of all arts organizations to be funded in 1994 and each year thereafter, with emphasis upon identified competitive arts services to be rendered for arts grant monies received. Said Arts Services will be determined by and accountable under the terms and conditions of a memorandum of understanding agreement between the City of Indianapolis and the Arts Council of Indianapolis, as approved by the City-County Council.

SECTION 3. This resolution is adopted in satisfaction of the requirements of Sec 3.01(b) of the Annual Budget for 1993, Fiscal Ordinance No. 57, 1992.

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

PROPOSAL NO. 232, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 232, 1993 on April 28, 1993. The proposal appropriates \$270,723 to the Marion County Public Defender Agency to pay contractual public defender expenses. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 232, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Rhodes

2 NOT PRESENT: Jones, Mullin

Proposal No. 232, 1993 was retitled FISCAL ORDINANCE NO. 34, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Two Hundred Seventy Thousand Seven Hundred Twenty-three Dollars (\$270,723) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing certain other appropriations for the Clerk of the Circuit Court and reducing the unappropriated and unencumbered balance in the County General Fund.

May 10, 1993

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 1.02 (ccc) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency to pay contractual public defender expenses.

SECTION 2. The sum of Two Hundred Seventy Thousand Seven Hundred Twenty-three Dollars (\$270,723) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$270,723</u>
TOTAL INCREASE	\$270,723

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

<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$194,723
Unappropriated and Unencumbered County General Fund	<u>76,000</u>
TOTAL REDUCTION	\$270,723

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 191, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 191, 1993 on April 28, 1993. The proposal confirms local court rule authorizing filing of court pleadings by facsimile transmission. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 191, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Franklin, Hinkle

2 NOT PRESENT: Jones, Mullin

Proposal No. 191, 1993 was retitled SPECIAL RESOLUTION NO. 31, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1993

A SPECIAL RESOLUTION confirming local court rule authorizing filing of court pleadings by facsimile transmission.

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

SECTION 1. The following rule adopted by a majority of the judges of the courts of record of Marion County is hereby approved:

ORDER ON ELECTRONIC FACSIMILE FILING

BY ORDER OF A MAJORITY OF THE COURTS OF RECORD OF MARION COUNTY, and pursuant to Trial Rule 5(E)(2) and Administrative Rule 12, the electronic facsimile filing of pleadings and other documents is hereby authorized in all courts of record of Marion County.

(a) The Clerk of the Marion Circuit Court shall enter into an agreement with one or more telephone service providers to facilitate the filing of pleadings and other documents by facsimile. Said agreement shall require that said telephone service provider pay to the clerk forty cents (\$.40) for each facsimile page transmitted through said telephone service provider to the clerk. Said agreement shall also provide that said telephone service provider may charge to the sending party or attorney not more than an additional sixty cents (\$.60) for each facsimile page. Under no circumstance may the total charges assessed to the sending party or attorney exceed one dollar (\$1.00) per page. Under no circumstances may the total charges assessed to the sending party or attorney exceed the requirement as defined in Administrative Rule 12 of the Supreme Court of the State of Indiana. Except as otherwise specifically ordered, no facsimile transmission shall be made to any court other than through a telephone service provider who has entered into the required agreement with the clerk.

(b) The Clerk of the Marion Circuit Court shall make such arrangements, including the drafting of cover sheets and other forms, as may be reasonably necessary to maximize the utility of electronic facsimile filing, given such technologies as the clerk may have available from time to time.

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

PROPOSAL NO. 201, 1993. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 201, 1993 on April 29, 1993. The proposal approves a Board of Public Works resolution regarding the write-off of certain sewer service accounts of \$25 or less. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 201, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 201, 1993 was retitled GENERAL RESOLUTION NO. 12, 1993 and reads as follows:

CITY-COUNCIL GENERAL RESOLUTION NO. 12, 1993

A GENERAL RESOLUTION approving Board of Public Works Resolution No. 3073-1993, a Resolution Declaring Certain Sewer Service Final Accounts as Uncollectible and Authorizing the Cessation of Further Collection Efforts.

WHEREAS, the City-County Council has the authority, pursuant to IC 36-9-25-11.7, effective March 1, 1988, and Section 27-115 of the Code of Indianapolis and Marion County, Indiana, as amended, effective May 17, 1988, of final approval of all Board of Public Works' resolutions deeming as uncollectible FINAL sewer service accounts for which the outstanding balance is twenty-five dollars (\$25.00) or less, which are at least 120 days delinquent, and which the Department of Public Works has determined to be uncollectible;

WHEREAS, at its regularly scheduled meeting on April 5, 1993, the Board of Public Works approved and adopted Resolution No. 3073-1993, a resolution declaring the accounts listed in the Schedule of Uncollectible Final Accounts attached to that resolution as uncollectible and authorizing the cessation of further collection efforts;

May 10, 1993

WHEREAS, the Schedule of Uncollectible Final Accounts attached to that resolution contains approximately 1,351 separate accounts totalling approximately \$10,581.06. Such final accounts have balances of twenty-five dollars (\$25.00) or less, are at least 120 days delinquent, have been closed since before October 1, 1992, and have been determined by the Department of Public Works to be uncollectible;

WHEREAS, Board of Public Works Resolution No. 3073-1993 and the Board of Public Works action thereon fulfill all the requirements of Section 27-115 of the Code of Indianapolis and Marion County, Indiana, except for approval by the City-County Council; and

WHEREAS, a copy of Board of Public Works Resolution No. 3073-1993 has been filed with the Clerk of the Council; now, therefore:

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

SECTION 1. The City-County Council hereby approves Board of Public Works Resolution No. 3073-1993, declares that the accounts listed in the certified Schedule of Uncollectible Final Accounts which is a part of that resolution are deemed uncollectible and further authorizes and directs the Department of Public Works to cease collection procedures and to expense the amounts outstanding on such accounts as bad debts.

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

PROPOSAL NO. 228, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 228, 1993 on May 3, 1993. The proposal transfers and appropriates \$27,000 for the County Auditor to purchase equipment. Councillor Rhodes stated that this appropriation is for computer equipment in the Property Reassessment section in the Auditor's Office. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 228, 1993 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT PRESENT: *Jones, Mullin*

Proposal No. 228, 1993 was retitled FISCAL ORDINANCE NO. 35, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Twenty-seven Thousand Dollars (\$27,000) in the Property Reassessment Fund for purposes of the County Auditor and reducing certain other appropriations for that office.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor to purchase equipment.

SECTION 2. The sum of Twenty-seven Thousand Dollars (\$27,000) 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:

COUNTY AUDITOR
4. Capital Outlay
TOTAL INCREASE

PROPERTY REASSESSMENT FUND
\$27,000
\$27,000

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

COUNTY AUDITOR
3. Other Services and Charges
TOTAL REDUCTION

PROPERTY REASSESSMENT FUND
\$27,000
\$27,000

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

NEW BUSINESS

Councillor O'Dell said that he would like a report on the Observatory Tower. The President suggested that the Administration and Finance Committee hear that report. Councillor Rhodes said it will be on the agenda for the May 17, 1993 Administration and Finance Committee meeting.

Councillor Jimison stated that the Moratorium on Violence campaign is sponsoring a "Hands Around Our City Day" to be held May 23, 1993. She asked all Councillors to participate in the event.

Councillor Boyd said that because several members of this community have recognized a pervasive problem of violence which impacts everyone and because these citizens of Indianapolis have and are devoting considerable time and energy to more fully identify the problem and raise public consciousness to it he moved that the Indianapolis City-County Council, by passage of this motion, commend the efforts of these volunteers and encourage citizen participation in the anti-violence activities scheduled for the weekend of May 21. This motion was seconded by Councillor Short and passed by unanimous voice vote.

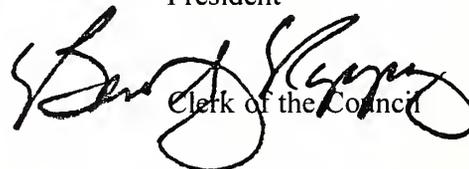
ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of May, 1993.

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


President


Clerk of the Council

ATTEST:

(SEAL)