

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

**REGULAR MEETINGS  
MONDAY, MARCH 20, 1995**

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 7:16 p.m. on Monday, March 20, 1995, with Councillor SerVaas presiding.

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

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Beadling introduced Gene and Barb Enderlin of the Landlord Association. Councillor Golc recognized members of the Haughville, Stringtown and Hawthorne Neighborhood Associations.

The President asked for consent to hear Proposal No. 123, 1995 after the opening business; the majority of the audience was interested in that proposal. Consent was given.

Councillor Giffin introduced Alan Kimbel, former City-County Councilman.

## OFFICIAL COMMUNICATIONS

Mayor Stephen Goldsmith presented a report on Advanced Wastewater Treatment ("AWT"). He stated that prior to the White River Environmental Partnership ("WREP") assuming responsibility for AWT, Indianapolis already had some of the most efficient treatment plants in the country. The private management contract was projected to result in savings of \$65 million. Now, one year later, the savings will be slightly higher.

Mayor Goldsmith stated: (1) that all city employees who lost employment due to the private management contract either have been placed with WREP or have found employment elsewhere; (2) Minority Business Enterprises and Women Business Enterprises have increased dramatically under the joint partnership as compared to when the City had the contract; and (3) the water quality is better than ever.

Mayor Goldsmith further stated: (1) that the proposed 1994 budget of the AWT was \$30 million and the actual budget for 1994 was \$17 million; (2) WREP reduced employment at the AWT plant from 328 to 176 employees (170 are former City employees); (3) the current employee benefit package exceeds the previous City benefit package; (4) filing of grievances was reduced from 38 to 1; and (5) workplace accidents dropped by more than 70%.

Mayor Goldsmith introduced James Morris, President, Indianapolis Water Company. Mr. Morris praised the accomplishments of WREP. Mr. Morris introduced Michael Stayton, Director, Department of Public Works. Mr. Stayton also praised the accomplishments of WREP.

Councillors Coughenour, Moriarty Adams, Curry, and SerVaas congratulated the Mayor, WREP, Mr. Stayton, and Mr. Morris.

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, March 20, 1995, 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  
President, City-County Council

March 6, 1994

TO THE HONORABLE PRESIDENT AND 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.

March 20, 1995

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, March 9, 1995, a copy of CORRECTIONS OF LEGAL NOTICES published on February 28, 1995. Corrections to publication errors of General Ordinance Nos. 20, 21 and 22, 1995, were published in the NEWS and corrections to publication errors of General Ordinance No. 22, 1995, were published in the COMMERCIAL.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

March 6, 1994

TO THE HONORABLE PRESIDENT AND 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:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 9, 1995, a copy of NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 106, 108, 109, 110, 111, 112, 114, 115, 117, 118, 119, 120, 127, 128, 129, 130, 131, 132, 161, and 166, 1995, said hearing to be held on Monday, March 20, 1995, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

March 10, 1994

TO THE HONORABLE PRESIDENT AND 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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS on Wednesday, March 15, 1995, a CORRECTION OF NOTICE TO TAXPAYERS, correcting errors in the NEWS' publication, on March 9, 1995, of Proposal No. 108, 1995.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

March 3, 1995

TO THE HONORABLE PRESIDENT AND 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:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 26, 1995 - amending the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles

GENERAL ORDINANCE NO. 30, 1995 - amending the Code concerning environmental public nuisances

GENERAL ORDINANCE NO. 31, 1995 - amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)

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GENERAL ORDINANCE NO. 32, 1995 - amending the Code by authorizing intersection controls for Creekside Woods subdivision (District 13)

GENERAL ORDINANCE NO. 33, 1995 - amending the Code by authorizing intersection controls for Bradford Woods subdivision (District 1)

GENERAL ORDINANCE NO. 34, 1995 - amending the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18)

GENERAL ORDINANCE NO. 35, 1995 - amending the Code by authorizing stop signs for Cedar Springs subdivision (District 13)

GENERAL ORDINANCE NO. 36, 1995 - amending the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4)

GENERAL ORDINANCE NO. 37, 1995 - amending the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3)

GENERAL ORDINANCE NO. 38, 1995 - amending the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7)

GENERAL ORDINANCE NO. 39, 1995 - amending the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7)

GENERAL ORDINANCE NO. 40, 1995 - amending the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7)

GENERAL ORDINANCE NO. 41, 1995 - amending the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17)

FISCAL ORDINANCE NO. 2, 1995 - an appropriation from the Information Services Internal Services Fund in the amount of \$437,812 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund

FISCAL ORDINANCE NO. 3, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$329,476 for the Prosecuting Attorney, Marion County Public Defender Agency, Court Administrator Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant

FISCAL ORDINANCE NO. 4, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues from the Drug Free Community Fund

FISCAL ORDINANCE NO. 5, 1995 - an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund

FISCAL ORDINANCE NO. 6, 1995 - an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund

FISCAL ORDINANCE NO. 7, 1995 - an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reducing a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons

SPECIAL ORDINANCE NO. 4, 1995 - approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services

SPECIAL RESOLUTION NO. 14, 1995 - recognizing the 67th Fire Department Instructors' Conference in Indianapolis

SPECIAL RESOLUTION NO. 15, 1995 - recognizing the East Indianapolis Sertoma Club

SPECIAL RESOLUTION NO. 16, 1995 - remembering the life of former Deputy Mayor Harry E. Eakin

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SPECIAL RESOLUTION NO. 17, 1995 - recognizing the 50th anniversary of the *Lawrence Township Journal* newspaper

SPECIAL RESOLUTION NO. 18, 1995 - approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500

SPECIAL RESOLUTION NO. 19, 1995 - approving a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995 - an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation

Respectfully,  
s/Stephen Goldsmith, Mayor

### ADOPTION OF THE AGENDA

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

### APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of February 27, 1995. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 220, 1995. This proposal, sponsored by Councillor Smith, recognizes Sgt. Gerald L. Young. Councillor Smith read the resolution and presented a copy of the document to Sgt. Young, who expressed appreciation for the recognition. Sgt. Young's wife, Theresa, was also present. Councillor Smith moved, seconded by Councillor Schneider, for adoption. Proposal No. 220, 1995 was adopted by unanimous voice vote.

Proposal No. 220, 1995 was retitled SPECIAL RESOLUTION NO. 20, 1995 and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1995

A SPECIAL RESOLUTION recognizing Sgt. Gerald L. Young.

WHEREAS, Sgt. Gerald L. Young is an Indiana University graduate in Criminal Justice, and joined the Indianapolis Police Department in 1966; and

WHEREAS, after only two years on the force, Sgt. Young responded to a liquor store robbery in progress where he confronted the armed assailant, and after an exchange of gunfire, wounded the hold-up criminal; and

WHEREAS, he was awarded Commendations for Outstanding Devotion to Duty in 1968 and 1969, the Chief's Letter of Commendation in 1968, served on the National Transportation Task Force for President Nixon in 1974 and in 1980 served on the first reverse sting under Prosecutor Goldsmith's war on fenced goods; and

WHEREAS, Sgt. Young spent 20 years in the City Controller's Office working with enforcing ordinances and the City-County Council's efforts in closing massage parlors and adult theaters; and

WHEREAS, this year, Sgt. Young received a special Certificate of Appreciation for his 29 years of service in law enforcement in Indianapolis; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends Sgt. Gerald L. Young for his proficiency, skill and dedication to law enforcement in this community under four mayors and eight police chiefs.

SECTION 2. The Council wishes him well in his new elected position as Franklin Township Constable.

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. 221, 1995. This proposal, sponsored by Councillor O'Dell, concerns the Marion County Healthcare Center. Councillor O'Dell read the resolution and presented a copy of the document to Mary "Dubbie" Buckler, James Crawford, Evelyn Sayers, and Charles Williams, who expressed appreciation for the recognition. Charles Williams' wife, Robbie, was also present. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 221, 1995 was adopted by unanimous voice vote.

Proposal No. 221, 1995 was retitled SPECIAL RESOLUTION NO. 21, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1995

A SPECIAL RESOLUTION concerning the Marion County Healthcare Center.

WHEREAS, the year 1832 marked the incorporation of the Town of Indianapolis and the beginning of what is now the Marion County Healthcare Center; and

WHEREAS, Marion County government's first home for the poor, originally located west of downtown, was moved to its present site on Brookville Road in the Town of Julietta 96 years ago; and

WHEREAS, Marion County, in the historical buildings erected at that site, has provided aid, comfort and dignity to the poor, elderly, mentally ill and resident patients whose chronic cases did not qualify for hospital care; and

WHEREAS, the site's mission evolved into the establishment of the Marion County Healthcare Center and the creation of one of the first and best Alzheimer's Units in the State of Indiana; and

WHEREAS, after this year, the Marion County Healthcare Center is to close, and a new 240-bed facility of Health and Hospital Corporation is to replace it; 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 163-year tradition of Marion County's provision of residential services for the elderly and those sick of body and mind.

SECTION 2. The Council commends the Healthcare Center's staff, including current Director Kenneth Adkins, volunteers and the immediate past Marion County Healthcare Center's Board -- all of whom devoted hundreds of volunteer hours researching and analyzing the most cost effective options for the continuity of quality care for the Center's resident patients: Roland A. Cook, James T. Crawford, Janet Marosky, Janet A. McSharar, Evelyn Sayers, Charles Williams and James Winemiller.

SECTION 3. A new owner is now in charge of this mission; a new facility is being built; and the torch is being passed.

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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.

**SPECIAL SERVICE DISTRICT COUNCIL  
POLICE SPECIAL SERVICE DISTRICT  
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 123, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 123, 1995 on March 1, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant. By a 6-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Dowden stated that subsequent to the preparation of this proposal, the Indianapolis Police Department was informed by the Federal Bureau of Investigation ("FBI") that several expenditures of the budgeted law enforcement portion of this proposal did not meet the criteria for expenditures of the Federal Forfeiture Funds. Councillor Dowden moved, seconded by Councillor Rhodes, to amend Proposal No. 123, 1995, Section 3, as follows:

<u>DEPARTMENT OF PUBLIC SAFETY, POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>	
1. Personal Services	100,000	105,000
2. Supplies	19,610	2,860
3. Other Services and Charges		469,662
4. Capital Outlay	<u>32,720</u>	<u>44,470</u>
TOTAL INCREASE		621,992

Councillor West asked why the FBI felt it necessary to change the budget. Councillor Dowden stated that he is unsure of the reason behind the change; however, these funds are under the jurisdiction of the FBI. Councillor Dowden's motion to amend carried by a unanimous voice vote.

The President called for public testimony at 8:00 p.m. Natalie Davis, Law Enforcement Coordinator, U.S. Attorney's Office, praised the residents of Haughville, Hawthorne, and Stringtown. Olgen Williams, Chairman, Westside Cooperative Organization, also expressed praise for the residents' efforts.

Councillors Brents and Golc expressed praise for the Weed and Seed Program and asked for the Council's support of this proposal.

The President asked for consent to hear Proposal No. 162, 1995 next, due to the fact that it is related to Proposal No. 123, 1995. Consent was given.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 123, 1995, as amended, was adopted on the following roll call vote; viz:

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

Councillor Moriarty Adams stated that she abstained from the vote due to a conflict of interest.

Proposal No. 123, 1995, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Six Hundred Twenty-one Thousand Nine Hundred Ninety-two Dollars (\$621,992) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT 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 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of The Department of Public Safety, Police Division to establish a Weed and Seed National Demonstration Program funded by the U.S. Department of Justice.

SECTION 2. The sum of Six Hundred Twenty-one Thousand Nine Hundred Ninety-two Dollars (\$621,992) 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 appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY, POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
1. Personal Services	105,000
2. Supplies	2,860
3. Other Services and Charges	469,662
4. Capital Outlay	<u>44,470</u>
TOTAL INCREASE	621,992

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

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered Police Service District Fund	<u>621,992</u>
TOTAL REDUCTION	621,992

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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



## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 162, 1995. Councillor Dowden stated that the Public Safety and Criminal Justice Committee heard Proposal No. 162, 1995 on March 1, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption.

The President called for public testimony at 8:23 p.m. Mark Massa, Chief Counsel to the Marion County Prosecutor, stated that the Prosecutor would like to implement a system that would assign deputy prosecutors to a specific area of the community, instead of receiving their cases at random. He then stated that the Prosecutor's Office supports the Weed and Seed Program and Deana Garner, Deputy Prosecutor, has already been assigned to the Near West Side area.

Councillor Beadling asked if the deputy prosecutor assigned to the Near West Side would remain if the grant money were no longer being received. Mr. Massa answered in the affirmative.

Councillor Smith moved the question. This motion was seconded by Councillor West.

Councillor Williams asked if this were a new position. Mr. Massa answered in the negative. Councillor Williams asked if there will be a Near West Side prosecutor as well as a Weed and Seed prosecutor. Ms. Garner stated that there will be one prosecutor; the former West District prosecutor has been moved to the East District. Ms. Garner then stated that this proposal will provide for more intensified services in the West District. Councillor Williams asked how the services will be different. Mike Beaver, Director, Department of Public Safety, stated that there will be a deputy prosecutor assigned to the West District four or five days a week as opposed to two or three days in the past.

Proposal No. 162, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 162, 1995 was retitled FISCAL ORDINANCE NO. 9, 1995 and reads as follows:

### CITY-COUNTY FISCAL ORDINANCE NO. 9, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty Thousand Dollars (\$40,000) in the State and Federal Grants Fund for purposes of Marion County 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 1.02 (b) and (w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor to reduce criminal activities and fund rehabilitation and prevention activities.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) 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 appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	31,000
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>9,000</u>
TOTAL INCREASE	40,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>40,000</u>
TOTAL REDUCTION	40,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

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

PROPOSAL NOS. 19 and 20, 1995. PROPOSAL NO. 19, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Joe M. Rink to the Cable Franchise Board. PROPOSAL NO. 20, 1995. The proposal, sponsored by Councillor McClamroch, reappoints James E. Sawyers to the Cable Franchise Board. Councillor McClamroch moved to strike both these proposals. Proposal Nos. 19 and 20, 1995 were stricken by a unanimous voice vote.

PROPOSAL NO. 21, 1995. The proposal, sponsored by Councillor Rhodes, reappoints Don Hargadon to the Cable Franchise Board. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 21, 1995 was retitled COUNCIL RESOLUTION NO. 33, 1995 and reads as follows:

#### CITY-COUNTY COUNCIL RESOLUTION NO. 33, 1995

A COUNCIL RESOLUTION reappointing Don Hargadon to the Cable Franchise Board.

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

March 20, 1995

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Don Hargadon

SECTION 2. The appointment made by this resolution is for a term ending December 31, 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.

PROPOSAL NO. 178, 1995. The proposal, sponsored by Councillor McClamroch, appoints Carlton Curry to the Cable Franchise Board. Councillor Rhodes moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 178, 1995 was retitled COUNCIL RESOLUTION NO. 34, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 1995

A COUNCIL RESOLUTION appointing Carlton Curry to the Cable Franchise 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 Cable Franchise Board, the Council appoints:

Carlton Curry

SECTION 2. The appointment made by this resolution is for a term ending December 31, 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.

PROPOSAL NO. 31, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Rudy Hightower to the Board of Public Safety. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 31, 1995 was retitled COUNCIL RESOLUTION NO. 38, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1995

A COUNCIL RESOLUTION reappointing Rudy Hightower to the Board of Public Safety.

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

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

Rudy Hightower

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

PROPOSAL NO. 107, 1995. The proposal, sponsored by Councillor McClamroch, renominates Walter Quesenberry for appointment to the Lawrence Economic Development Commission. Councillor Borst moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 107, 1995 was retitled COUNCIL RESOLUTION NO. 35, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 1995

A COUNCIL RESOLUTION renominating Walter Quesenberry for appointment to the Lawrence Economic 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 Lawrence Economic Development Commission, the Council nominates:

Walter Quesenberry

SECTION 2. The nomination made by this resolution is for a term ending February 1, 1998. 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. 179, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Lance L. Bundles to the Metropolitan Development Commission. Councillor West moved, seconded by Councillor McClamroch, for adoption. Proposal No. 179, 1995 was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*2 NAYS: Boyd, Jimison*

*4 NOT VOTING: Golc, Gray, Jones, Williams*

Proposal No. 179, 1995 was retitled COUNCIL RESOLUTION NO. 36, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1995

A COUNCIL RESOLUTION reappointing Lance L. Bundles 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:

Lance L. Bundles

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

PROPOSAL NO. 181, 1995. The proposal, sponsored by Councillor McClamroch, appoints Ron Franklin to the Public Housing Board. Councillor West moved, seconded by Councillor McClamroch, for adoption. Proposal No. 181, 1995 was adopted on the following roll call vote; viz:

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

March 20, 1995

0 NAYS:

5 NOT VOTING: *Golc, Gray, Hinkle, Jones, Williams*

Proposal No. 181, 1995 was retitled COUNCIL RESOLUTION NO. 37, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1995

A COUNCIL RESOLUTION appointing Ron Franklin to the Public Housing 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 Public Housing Board, the Council appoints:

Ron Franklin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. 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. 180, 1995. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Aaron E. Haith to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 183, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE which authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2)."

[Clerk's note: Proposal No. 183, 1995 does not need to be referred to Committee since it has already been heard by the Economic Development Committee.]

PROPOSAL NO. 187, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$275,000 to pay the County's portion of the Financial Accounting and Management Information System (FAMIS) for the County Auditor financed by reducing the County General Fund balance"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 188, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 189, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian

Home financed by reducing the County General Fund balance"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 190, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adopting a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 191, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 192, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 193, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$614,755 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney to defer costs of traffic law enforcement financed by Moving Traffic Deferral Fees collected between September and December 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 194, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation for \$78,331 to pay training expenses for the County Sheriff's Department financed by Continuing Education Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 195, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a transfer of appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 196, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 197, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a transfer of appropriations of

\$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 198, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation for \$197,600 for the Court Administrator to purchase 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire security financed from the County General Fund balances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 199, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for the Parc Estates North subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 200, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 201, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for Hunters Green subdivision, Section 1 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 202, 1995. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Boyd Avenue and North Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 203, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at 44th Street and Winthrop Avenue (District 6). Councillor Short stated that the same request is listed as Proposal No. 177, 1995 in the agenda. Councillor Gilmer moved, seconded by Councillor Short, to strike Proposal No. 203, 1995. The proposal was stricken by consent.

PROPOSAL NO. 204, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Camelback Drive and Buckskin Drive (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 205, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Butler Avenue and 13th Street (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 206, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Grace Terrace and La Habra Lane (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 207, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at Bowline Drive and Skipjack Drive (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 208, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 209, 1995. Introduced by Councillors Black, Gray, and Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 210, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing parking restrictions on a segment of Delaware Street at Michigan Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 211, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 212, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Margaret Maxwell to the Marion County Commission on Youth"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 213, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ernestine Nicholson to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 214, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Joseph M. Rink to the Metropolitan Board of Zoning Appeals II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 215, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Claudia Prosser



to the Indianapolis City-Market Corporation Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 216, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 217, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Chester Carpenter to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 218, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 219, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Charles E. Kendall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 222, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Felicia Triggs to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 184, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 184, 1995 on March 16, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 184, 1995 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Hinkle, Jimison, Williams*

Proposal No. 184, 1995 was retitled SPECIAL ORDINANCE NO. 5, 1995 and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1995**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (EPI Printers, Inc. Project), in the

aggregate principal amount not to exceed \$5,500,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

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

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

WHEREAS, a representative of V.I.B., Inc., a Michigan corporation ("V.I.B."), and EPI Printers, Inc., a Michigan corporation ("EPI") (collectively, "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation and equipping of an existing building containing approximately 33,500 square feet plus the construction and equipping of an approximately 45,000 square foot addition to the existing building located at 7502 East 86th Street, Indianapolis, Marion County, Indiana on approximately 4.99 acres of land to be used for the manufacturing of printed materials and the distribution of such literature and products; the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"). The existing building and the expansion thereto as well as the land will be owned by V.I.B. and will be leased to EPI which will own the equipment and furnishings installed in the Project. EPI will initially operate the Project.;

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (EPI Printers, Inc. Project), in the aggregate principal amount not to exceed \$5,500,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 15, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of March 1, 1995 by and between the Issuer and Society Bank, Michigan, as Trustee (the "Trustee") and Key Trust Company of Indiana, N.A., as Co-Trustee (the "Co-Trustees") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of March 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

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

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Preliminary Offering Circular, Lease, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of

March 20, 1995

special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Offering Circular is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Offering Circular is hereby authorized to certify to McDonald & Company Securities, Inc. (the "Underwriter") that the information in the Preliminary Offering Circular with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Offering Circular.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 98.9% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed twelve percent (12.0%) per annum. The use of a Final Offering Circular substantially the same form as the Preliminary Offering Circular approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Placement Agent, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

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

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 185, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 185, 1995 on March 16, 1995. The proposal amends S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 185, 1995 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Black, Gray, Hinkle*

Proposal No. 185, 1995 was retitled SPECIAL RESOLUTION NO. 22, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1993, 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 36-7-11.9 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. 45, 1993, 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 Brulin & Company, Inc. (the "Company") which Inducement Resolution set an expiration date of March 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of March 31, 1995, contained therein and replacing said date with the date of September 30, 1995.

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

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

PROPOSAL NO. 186, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 186, 1995 on March 16, 1995. The proposal is an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential

rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 186, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 186, 1995 was retitled SPECIAL RESOLUTION NO. 23, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1995

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 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, El-Beulah Retirement Village, Inc., an Indiana not-for-profit 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, installation and equipping of a sixty-eighty (68) unit multi-family residential facility for the elderly consisting of thirty-four (34) one-story buildings containing two (2) living units each to be located at 7606 East 82nd Street, Indianapolis, Indiana on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (two (2) jobs at the end of one year plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

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

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the 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 Four Million Five Hundred Thousand Dollars (\$4,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds

of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires September 30, 1995, 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 ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as 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) if applicable, 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 date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section I.150-2.

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

PROPOSAL NO. 223, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 13, 1995." The Council did not schedule Proposal No. 223, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 223, 1995 was retitled REZONING ORDINANCE NO. 40, 1995 and is identified as follows:

REZONING ORDINANCE NO. 40, 1995. 94-Z-210 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT # 20.  
98 EAST MERIDIAN SCHOOL ROAD (approximate address), INDIANAPOLIS.  
NATIONAL CHURCH RESIDENCES OF S. INDIANAPOLIS, INC., by Stephen D. Mears, requests  
the rezoning of 2.85 acres, being in the C-3 District, to the C-2 classification to provide for construction  
of housing for the elderly.

PROPOSAL NOS. 224-227, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 16, 1995." The Council did not schedule Proposal Nos. 224-227, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 224-227, 1995 were retitled REZONING ORDINANCE NOS. 41-44, 1995 and are identified as follows:

March 20, 1995

REZONING ORDINANCE NO. 41, 1995. 95-Z-3 (AMENDED) PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 25  
1051 WEST SUMNER AVENUE (approximate address), INDIANAPOLIS.  
LINDA KOPETSKY, by G. Thomas Blankenship, requests the rezoning of 4.975 acres, being in the D-A(F) District, to the I-2-S(F) classification to provide for the maintenance, repair and outside storage of trucks and equipment.

REZONING ORDINANCE NO. 42, 1995. 95-Z-25 PERRY TOWNSHIP  
230 WEST EPLER AVENUE (approximate address), INDIANAPOLIS.  
COUNCILMANIC DISTRICT # 25.  
DENNIS E. COPENHAVER, by James B. Burroughs, requests the rezoning of 10.278 acres, being in the D-A and D-3 Districts, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 43, 1995. 94-Z-217 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.  
2424 EAST WASHINGTON STREET, (approximate address), INDIANAPOLIS.  
JAVIER AMEZCUA, by Zoe Urena Weiss, requests the rezoning of 0.59 acre, being in the C-2 and D-5 Districts, to the C-3 classification to provide for the continued use of a parking lot for an existing restaurant.

REZONING ORDINANCE NO. 44, 1995. 95-Z-8 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT # 24.  
1740 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.  
THOMPSON ROAD BAPTIST CHURCH, by Ronald A. Wright, requests the rezoning of 0.74 acre, being in the D-2 District, to the SU-1 classification to provide for the expansion of an existing church.

PROPOSAL NO. 228, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 16, 1995."

Councillor Brents made the following motion:

Mr. President:

I move that Proposal No. 228, 1995 (Rezoning Case 95-Z-5) be scheduled for a hearing before this Council at its next regular meeting on April 10, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by a unanimous voice vote. Proposal No. 228, 1995 is identified as follows:

95-Z-5 WAYNE TOWNSHIP. COUNCILMANIC DISTRICT # 16.  
2339 LAFAYETTE ROAD (APPROXIMATE ADDRESS), INDIANAPOLIS.  
PLEASANT RUN CHILDREN'S HOME, INC., by James B. Burroughs, requests the rezoning of 14.40 acres, being in the C-4, D-4 and D-S Districts, to the SU-7 classification to provide for a children's group home and corporate offices for a charitable organization.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. The proposal is a transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund financed by unappropriated revenues in the County General Fund. Councillor Dowden asked for consent to postpone Proposal No. 69, 1995 until April 10, 1995. Consent was given.

PROPOSAL NO. 106, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 106, 1995 on March 16, 1995. The proposal is an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative

Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:02 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 106, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Beadling, Gray

Proposal No. 106, 1995 was retitled FISCAL ORDINANCE NO. 10, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twelve Thousand Fifty Dollars (\$12,050) in the County General Fund for purposes of the Cooperative Extension Service 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(xx) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to pay for additional rent and contractual services.

SECTION 2. The sum of Twelve Thousand Fifty Dollars (\$12,050) 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 appropriation is hereby approved:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	12,050
TOTAL INCREASE	12,050

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	12,050
TOTAL REDUCTION	12,050

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

PROPOSAL NO. 108, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 108, 1995 on February 21, 1995. This proposal is an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants



financed by revenues from the Redevelopment General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:05 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 108, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 108, 1995 was retitled FISCAL ORDINANCE NO. 11, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Redevelopment 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 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to fund the Facade Improvement program which provides architectural design and rendering assistance to program participants to promote the revitalization of the City's commercial areas, through the provision of financial incentives to individual businessmen and property owners.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT GENERAL FUND</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	
3. Other Services and Charges	<u>150,000</u>
TOTAL INCREASE	150,000

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

	<u>REDEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Redevelopment General Fund	<u>150,000</u>
TOTAL REDUCTION	150,000

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

PROPOSAL NO. 109, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 109, 1995 on March 6, 1995. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services

Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked how the document imaging was performed in the past. Councillor West stated that there is currently a manual system that is very cumbersome.

Councillor Gilmer asked if there is a charge for the new service. Elaine Bedel, Director, Department of Metropolitan Development ("DMD"), stated that she is unaware of any fees associated with this service. Councillor Schneider asked when this service will be implemented. Ms. Bedel stated that she cannot answer that because the service contract has not yet been awarded to an outside source. Councillor Schneider asked if the DMD is continually striving to improve its document handling procedures (i.e., permits). Ms. Bedel answered in the affirmative.

The President called for public testimony at 9:12 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 109, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 109, 1995 was retitled FISCAL ORDINANCE NO. 12, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development 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 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission resolutions, building permit documents, and variance and rezoning documents.

SECTION 2. The sum of Two Hundred Twenty-five Thousand Dollars (\$225,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	225,000
TOTAL INCREASE	225,000

March 20, 1995

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

	<u>METROPOLITAN DEVELOPMENT</u> <u>GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>225,000</u>
TOTAL REDUCTION	225,000

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

PROPOSAL NO. 111, 1995. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed by the unappropriated and unencumbered balance in the Metropolitan Development General Fund and by additional tax abatement filing fees. Councillor West asked for consent to postpone Proposal No. 111, 1995 until April 10, 1995. Consent was given.

PROPOSAL NO. 112, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 112, 1995 on March 9, 1995. The proposal, sponsored by Councillor Jones, is an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jones introduced Thaddeus Gray, Golf Pro, Douglass Golf Course. Councillor Gray praised Mr. Gray's accomplishments.

Councillor Gilmer asked if the new driving range would be run by the Parks Department. Councillor Giffin stated that it will be under the same privatization as the other City-owned golf courses.

The President called for public testimony at 9:21 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor Jones, for adoption. Proposal No. 112, 1995 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*1 NOT VOTING: Moriarty Adams*

Proposal No. 112, 1995 was retitled FISCAL ORDINANCE NO. 13, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Thousand Dollars (\$300,000) in the Park General/Golf Fund for purposes of the Indianapolis Department of Parks and Recreation, Golf Division, and reducing the unappropriated and unencumbered balance in the Park General/Golf 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 1.01(o) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	
<u>GOLF DIVISION</u>	<u>PARK GENERAL/GOLF FUND</u>
4. Capital Outlay	<u>300,000</u>
TOTAL INCREASE	300,000

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

	<u>PARK GENERAL/GOLF FUND</u>
Unappropriated and Unencumbered	
Park General/Golf Fund	<u>300,000</u>
TOTAL REDUCTION	300,000

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

PROPOSAL NO. 114, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 114, 1995 on February 22, 1995. The proposal is an appropriation from the County General Fund in the amount of \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor Williams asked if this new position would be temporary. Councillor Dowden answered in the negative.

Councillor McClamroch stated that there are unresolved issues concerning this proposal. Councillor McClamroch then moved, seconded by Councillor Smith, to table Proposal No. 114, 1995 until April 10, 1995. This motion carried by a unanimous voice vote.

PROPOSAL NO. 115, 1995. The proposal is an appropriation from the County General Fund in the amount of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed by unappropriated and unencumbered revenues in the County General Fund. Councillor Dowden asked for consent to postpone Proposal No. 115, 1995 until April 10, 1995. Consent was given.

Councillor Dowden asked for consent to hear Proposal Nos. 117 and 118, 1995 at the same time. Consent was given.

PROPOSAL NOS. 117 and 118, 1995. PROPOSAL NO. 117, 1995. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund. PROPOSAL NO. 118, 1995. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 117 and 118, 1995 on February 22, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:27 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 117, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 117, 1995 was retitled FISCAL ORDINANCE NO. 14, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twenty-seven Thousand One Hundred Seventy-four Dollars (\$27,174) in the Drug Free Community Fund for the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community 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(dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to support the Indianapolis Challenge project, a coordinated comprehensive approach to issues and problems concerning substance abuse and related violence in Marion County.

SECTION 2. The sum of Twenty-seven Thousand One Hundred Seventy-four Dollars (\$27,174) 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 appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>\$27,174</u>
TOTAL INCREASE	\$27,174

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

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	<u>\$27,174</u>
TOTAL REDUCTION	\$27,174

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

Proposal No. 118, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Black, Gray, Hinkle*

Proposal No. 118, 1995 was retitled FISCAL ORDINANCE NO. 15, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Eighty-seven Thousand Eight Hundred Ninety-three Dollars (\$487,893) in the Drug Free Community Fund for purposes of Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community 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(b) and (dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to provide various criminal justice treatment and education programs.

SECTION 2. The sum of Four Hundred Eighty-seven Thousand Eight Hundred Ninety-three Thousand Dollars (\$487,893) 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 appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	80,299
2. Supplies	2,200
3. Other Services and Charges	361,414
4. Capital Outlay	27,500
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>16,480</u>
TOTAL INCREASE	487,893

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

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	<u>487,893</u>
TOTAL REDUCTION	487,893

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

Councillor Dowden asked for consent to hear Proposal Nos. 119 and 120, 1995 at the same time. Consent was given.

PROPOSAL NOS. 119 and 120, 1995. PROPOSAL NO. 119, 1995. The proposal is an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213

for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994. PROPOSAL NO. 120, 1995. The proposal is an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 119 and 120, 1995 on February 22, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 119, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 119, 1995 was retitled FISCAL ORDINANCE NO. 16, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Sixty-four Thousand Two Hundred Thirteen Dollars (\$64,213) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (n) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994.

SECTION 2. The sum of Sixty-four Thousand Two Hundred Thirteen Dollars (\$64,213) 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 appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY,</u>		
<u>POLICE DIVISION</u>		<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay		64,213
TOTAL INCREASE		64,213

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

	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Development Fund	64,213
TOTAL REDUCTION	64,213

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

Proposal No. 120, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Beadling, Franklin, Gilmer, Gray

Proposal No. 120, 1995 was retitled FISCAL ORDINANCE NO. 17, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Four Hundred Forty-five Thousand Four Hundred Sixty-six Dollars (\$1,445,466) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Fire Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (n) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994.

SECTION 2. The sum of One Million Four Hundred Forty-five Thousand Four Hundred Sixty-six Dollars (\$1,445,466) 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 appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
<u>FIRE DIVISION</u>	
4. Capital Outlay	<u>1,445,466</u>
TOTAL INCREASE	1,445,466

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

	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Development Fund	<u>1,445,466</u>
TOTAL REDUCTION	1,445,466

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

PROPOSAL NO. 127, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 127, 1995 on March 8, 1995. The proposal is an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Short asked if all contracts have been bid for this year. Greg Henneke, Director, Department of Capital Asset Management, answered in the negative.



Councillor Ruhmkorff stated that she will be voting against Proposal Nos. 127, 129 and 132, 1995 due to the fact that she has repeatedly turned in lists of streets for repair in her district that have not been repaired year after year.

The President called for public testimony at 9:47 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 127, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 127, 1995 was retitled FISCAL ORDINANCE NO. 18, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Three Hundred Thousand Dollars (\$1,300,000) in the Arterial Roads and Streets Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Arterial Roads and Streets 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 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management, Asset Management Division for CIP projects, specifically curb, sidewalk, and resurfacing projects in neighborhoods.

SECTION 2. The sum of One Million Three Hundred Thousand Dollars (\$1,300,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>ARTERIAL ROADS AND STREETS FUND</u>
4. Capital Outlay	<u>1,300,000</u>
TOTAL INCREASE	1,300,000

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

	<u>ARTERIAL ROADS AND STREETS FUND</u>
Unappropriated and Unencumbered	
Arterial Roads and Streets Fund	<u>1,300,000</u>
TOTAL REDUCTION	1,300,000

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

PROPOSAL NO. 128, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 128, 1995 on March 8, 1995. The proposal is an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in

infrastructure in parking meter areas financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry asked if this appropriation will be spent in areas that are not immediately adjacent to streets where parking meters are located. Mr. Henneke answered in the affirmative. Councillor Curry asked if parking meter funds are supposed to be spent only on streets with parking meters or streets connected thereto. Mr. Henneke answered in the affirmative. Councillor Curry stated that he will not be supporting this proposal.

Councillor Gilmer stated that the ordinance regarding the spending of parking meter funds needs to be amended.

The President called for public testimony at 9:56 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 128, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 128, 1995 was retitled FISCAL ORDINANCE NO. 19, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in the Parking Meter Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Parking Meter 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 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas.

SECTION 2. The sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>PARKING METER FUND</u>
4. Capital Outlay	1,250,000
TOTAL INCREASE	1,250,000

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

	<u>PARKING METER FUND</u>
Unappropriated and Unencumbered Parking Meter Fund	1,250,000
TOTAL REDUCTION	1,250,000

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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. 129, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 129, 1995 on March 8, 1995. The proposal is an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:58 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 129, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 129, 1995 was retitled FISCAL ORDINANCE NO. 20, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Eight Hundred Thousand Dollars (\$800,000) in the City Cumulative Capital Improvement Fund for purposes of the Department of Capital Asset Management, Asset Management Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Improvement 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 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management, Asset Management Division to provide funding for curb, sidewalk, and resurfacing projects.

SECTION 2. The sum of Eight Hundred Thousand Dollars (\$800,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
4. Capital Outlay	<u>800,000</u>
TOTAL INCREASE	800,000

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

	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Improvement Fund	<u>800,000</u>
TOTAL REDUCTION	800,000

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

PROPOSAL NO. 130, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 130, 1995 on March 8, 1995. The proposal is an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West asked if the lift station will be able to use these funds. Mr. Henneke stated that he cannot answer that question at this time.

The President called for public testimony at 10:00 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 130, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 130, 1995 was retitled FISCAL ORDINANCE NO. 21, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Dollars (\$1,000,000) in the Sanitation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitation 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 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, for capital improvements greater than \$25,000 which will be necessary at the advanced wastewater treatment plants.

SECTION 2. The sum of One Million Dollars (\$1,000,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SANITATION GENERAL FUND</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered Sanitation General Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

PROPOSAL NO. 131, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 131, 1995 on March 8, 1995. The Proposal is an appropriation

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from the Sanitary District General Improvement Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed by reducing the unappropriated and unencumbered balance in that fund.

Councillor McClamroch stated that there are unresolved issues concerning this proposal. Councillor McClamroch then moved, seconded by Councillor O'Dell, to postpone Proposal No. 131, 1995 until April 10, 1995. This motion carried by a unanimous voice vote.

PROPOSAL NO. 132, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 132, 1995 on March 8, 1995. The proposal is an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Smith asked if funds received for the maintenance of Washington Street will be put in a dedicated fund. Mr. Henneke answered in the negative and stated that the funds will be placed in the Transportation General Fund. Councillor Golc stated that he feels those monies should be placed in a dedicated fund.

The President called for public testimony at 10:11 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 132, 1995 was adopted on the following roll call vote; viz:

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

Councillor Beadling asked about the reimbursement from the Federal Government on the I-70 project. Mr. Henneke stated that the State has \$1.5 million set aside for that project. The City is being reimbursed for expenses as the project progresses.

Councillor O'Dell asked about the control of U.S. 40. Mr. Henneke stated that U.S. 40 is now bypassed on I-465 and the City has control of Washington Street (within the I-465 boundaries).

Proposal No. 132, 1995 was retitled FISCAL ORDINANCE NO. 22, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Ten Million Seventy-four Thousand Three Hundred Seven Dollars (\$10,074,307) in the Transportation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Transportation 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 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road. Additional revenues of Six Million Three Hundred Thousand Dollars (\$6,300,000) from the State of Indiana will support the Washington Street and I-70 and Six Points Road projects.

SECTION 2. The sum of Ten Million Seventy-four Thousand Three Hundred Seven Dollars (\$10,074,307) 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 appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	1,000,000
4. Capital Outlay	<u>9,074,307</u>
TOTAL INCREASE	10,074,307

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>10,074,307</u>
TOTAL REDUCTION	10,074,307

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

PROPOSAL NO. 161, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 161, 1995 on February 22, 1995. The proposal is an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:15 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Dowden, for adoption. Proposal No. 161, 1995 was adopted on the following roll call vote; viz:

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

Councillor Giffin stated that he abstained due to a conflict of interest.

Proposal No. 161, 1995 was retitled FISCAL ORDINANCE NO. 23, 1995 and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 23, 1995

A FISCAL ORDINANCE of the City of Indianapolis, Indiana and the County of Marion, Indiana, appropriating in the Advanced Wastewater Treatment Facilities Reserve Fund for the purpose of making capital expenditures for the City's advanced wastewater treatment plant.

WHEREAS, the City-County Council created a special fund designated as the "advanced wastewater treatment facilities reserve" in 1985; and

WHEREAS, the fund is for capital expenditures for the repair, remodeling, addition to or replacement of major facilities at the city's advanced wastewater treatment plant; and

WHEREAS, the capital expenditures shall be limited to capital equipment with an anticipated usable life in excess of at least fifteen (15) years; and

WHEREAS, the replacement cost of the capital expenditures is in excess of two hundred thousand dollars (\$200,000); and

WHEREAS, the fund has a fifteen million dollar (\$15,000,000) balance; and

WHEREAS, the city has identified capital expenditures necessary at the advanced wastewater treatment plant for the proper operation of such plant that meet the requirement of the fund; now, therefore:

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

SECTION 1. The Department of Capital Asset Management has determined the following capital projects are reasonable and necessary for the proper operation of the advanced wastewater treatment plant:

(a)	Replace traveling screens	295,000
(b)	Solid processing main control system	300,000
(c)	Replace belt filter presses	500,000
(d)	Belmont Rehabilitation of switchgear	500,000
(e)	Replace main control system	5,200,000
(f)	Convert pre-aeration to primary	2,000,000
(g)	Improve bypass ability to effluent pump station	1,000,000
(h)	WREP capital project contingency fund	<u>1,000,000</u>
	Total Projects	10,795,000

SECTION 2. The Department of Capital Asset Management is authorized to take any actions it determines necessary or appropriate to complete the project listed in Section 1, but shall not be authorized to add additional projects not listed, without approval of the City-County Council.

SECTION 3. The appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the capital projects describe in Section 1 above. Any surplus of such projects shall be credited to the Advanced Wastewater Treatment Facilities Reserve Fund.

SECTION 4. The sum of Ten Million Seven Hundred Ninety-five Thousand Dollars (\$10,795,000) is hereby appropriated for the purposes set forth in Section 1, and the budget of the Department of Capital Asset Management, Finance and Administration Division, increased by the following additional appropriation:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>ADVANCED WASTEWATER TREATMENT</u>
<u>FINANCE AND ADMINISTRATION DIVISION</u>	<u>FACILITIES REVENUE FUND</u>
3. Other Services and Charges	<u>10,795,000</u>
TOTAL INCREASE	10,795,000

SECTION 5. The appropriation is funded by reducing the balance in the Advanced Wastewater Treatment Facilities Reserve Fund.

Councillor Gilmer asked for consent to hear Proposal No. 177, 1995 at this time. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 177, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 177, 1995 on March 8, 1995. The proposal amends the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 177, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 177, 1995 was retitled GENERAL ORDINANCE NO. 42, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 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, Sec. 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>
18, Pg. 32	Winthrop Av & 44th St	Winthrop Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
18, Pg. 32	Winthrop Av & 44th 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.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 166, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 166, 1995 on March 1, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:20 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Rhodes, for adoption. Proposal No. 166, 1995 was adopted on the following roll call vote; viz:



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

0 NAYS:

1 NOT VOTING: *Hinkle*

Proposal No. 166, 1995 was retitled FISCAL ORDINANCE NO. 24, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-five Thousand Dollars (\$45,000) in the State and Federal Grants Fund for purposes of Superior Court, Juvenile Division/Detention Center, 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 1.02(kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to fund an attorney for the Child Advocates Inc.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) 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 appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>45,000</u>
TOTAL INCREASE	45,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>45,000</u>
TOTAL REDUCTION	45,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 64, 1995. The proposal amends Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses. Councillor Giffin moved, seconded by Councillor Borst, to strike Proposal No. 64, 1995. This motion carried by a unanimous voice vote.

Councillor Giffin asked for consent to hear Proposal No. 63, 1995 at this time. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 63, 1995. The proposal amends Chapter 282 of the Revised Code eliminating the White River Greenway Development Board. Councillor Giffin moved, seconded by Councillor Coughenour, to return Proposal No. 63, 1995 to committee. This motion carried by a unanimous voice vote.

PROPOSAL NO. 560, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 560, 1994 on March 15, 1995. The proposal, sponsored by Councillor Coughenour, amends the Revised Code by adding a new Chapter 295, Contracting Requirements. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Coughenour, for adoption. Proposal No. 560, 1994 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Giffin, Gray, Schneider, SerVaas*

Proposal No. 560, 1994 was retitled GENERAL ORDINANCE NO. 43, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1995

A GENERAL ORDINANCE amending the Revised Code by adding a new Chapter 295, Contracting Requirements.

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

SECTION I. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Chapter 295, to read as follows:

CHAPTER 295. CONTRACTING REQUIREMENTS

Sec. 295-I. Definitions. Whenever used in this chapter, the following definitions apply:

(a) *Construction* means the building, erection, alteration, demolition or repair (including but not limited to dredging, excavating, and painting) of public buildings, structures, sewers, stormwaste drains, highways and other improvements or additions to real property. It does not include routine repairs, or the remediation of environmentally impaired public buildings, structures, sewers, stormwaste drains, highways or other improvements or additions to real property.

(b) *Contract* means all types of agreements, grants, and orders for the procurement or disposal of supplies, services, construction, insurance or any other item. It includes awards and notices of awards, contracts of a fixed price, cost, cost plus fixed fee, or incentive types, contracts providing for the issuance of job orders, task orders, or task letters thereunder; letter contracts, purchase orders and leases.

(c) *Contractor* shall mean any person having a contract with the city.

(d) *Invitation for bids* means all documents including documents attached or incorporated by reference, utilized for soliciting bids in accordance with the procedures set forth in Article-- (competitive sealed bidding).

(e) *Purchase request* means a document whereby an agency requests that a contract be obtained for a specified need, and may include, but is not limited to, the technical description of the requested item, delivery

schedule, transportation, criteria for evaluation of solicitees, suggested sources of supply, and information supplied for the making of any determination and finding required pursuant to section.

Sec. 295-2. Contents of contracts for consulting or design services.

(a) The purchase request for any consulting or design services which contemplates a report or recommendation about anticipated future construction shall provide that the contractor will agree not to respond to any invitation to bid, nor to bid, on any contract for construction which is the subject of such consultation or design services. All contracts awarded for design or consulting services shall contain a provision that the contractor is disqualified and agrees not to bid on any future contracts for construction that may be connected with the scope of the consulting or design services for which the contract is issued.

(b) This section shall not apply to contracts for design-build services provided that the director of the department determines that a purchase request for a single contractor to provide design and construction services is in the best interests of the department.

## **SPECIAL SERVICE DISTRICT COUNCILS SPECIAL ORDERS - PUBLIC HEARING**

### **POLICE SPECIAL SERVICE DISTRICT**

PROPOSAL NO. 122, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant. Councillor Dowden asked for consent to postpone Proposal No. 122, 1995 until April 10, 1995. Consent was given.

### **SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL**

PROPOSAL NO. 110, 1995. The proposal is an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund. Councillor Coughenour asked for consent to postpone Proposal No. 110, 1995 until April 24, 1995. Consent was given.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council had been completed, the Chair would then entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Smith and Moriarty Adams in memory of Mrs. Evelyn Foley; and
- (2) Councillor Boyd in memory of Harold Crowder, Gladys Bennett, Don R. Brineman, and Joy E. Jackson Mays.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mrs. Evelyn Foley, Harold Crowder, Gladys Bennett, Don R. Brineman, and Joy E. Jackson Mays. He respectfully asked the support of fellow Councillors. He further requested that the motion be

made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

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

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-5, Council Proposal No. 228, 1995, at its next regular meeting on April 10, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 14.40 acres at 2339 Lafayette Road from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home.

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

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:33 p.m.

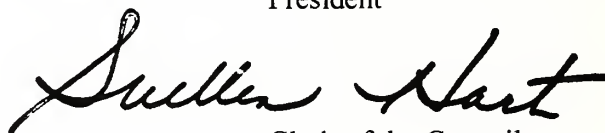
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 20th day of March, 1995.

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)