

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

**REGULAR MEETINGS
MONDAY, OCTOBER 30, 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 7:14 p.m. on Monday, October 30, 1995, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Black introduced Joe Fager, friend and former co-worker. Councillor Golc asked everyone to remember firefighter Brendon Cannady in their prayers as he recuperates at home.

OFFICIAL COMMUNICATIONS

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

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

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 30, 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

October 17, 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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, October 19, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 616, 620, 621, 625, 626, 630, 672, 676, 677, 678, 679, 680, and 681, 1995, to be held on October 30, 1995, at 7:00 p.m., in the City-County Building.

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

October 27, 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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Tuesday, October 31, 1995, a copy of LEGAL NOTICE on Proposal No. 615, 1995.

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

October 19, 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:

FISCAL ORDINANCE NO. 90, 1995 an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund

FISCAL ORDINANCE NO. 91, 1995 an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund

FISCAL ORDINANCE NO. 92, 1995 distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor

FISCAL ORDINANCE NO. 93, 1995 an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund

October 30, 1995

FISCAL ORDINANCE NO. 94, 1995 an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant

FISCAL ORDINANCE NO. 95, 1995 an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant

FISCAL ORDINANCE NO. 96, 1995 an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant

FISCAL ORDINANCE NO. 97, 1995 an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant

FISCAL ORDINANCE NO. 101, 1995 an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund

FISCAL ORDINANCE NO. 102, 1995 an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund

FISCAL ORDINANCE NO. 103, 1995 an appropriation of \$1,256,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund

FISCAL ORDINANCE NO. 104, 1995 an appropriation reducing by \$3,458,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 4 an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund

GENERAL ORDINANCE NO. 134, 1995 moves responsibility for management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Contract Compliance Division

GENERAL ORDINANCE NO. 135, 1995 licensure of public pay telephones

GENERAL ORDINANCE NO. 136, 1995 establishes a county general fund emergency reserve account

GENERAL ORDINANCE NO. 137, 1995 authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24)

GENERAL ORDINANCE NO. 138, 1995 authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17)

GENERAL ORDINANCE NO. 139, 1995 authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street

GENERAL ORDINANCE NO. 140, 1995 authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9)

GENERAL ORDINANCE NO. 141, 1995 authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19)

GENERAL ORDINANCE NO. 142, 1995 authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)

GENERAL ORDINANCE NO. 143, 1995 authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17)

GENERAL ORDINANCE NO. 144, 1995 authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17)

GENERAL ORDINANCE NO. 145, 1995 authorizes a multi-way stop at 20th Street and Riley Avenue (District 15)

GENERAL ORDINANCE NO. 146, 1995 authorizes a multi-way stop at Bosart Avenue and St. Clair Street (District 15)

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GENERAL ORDINANCE NO. 147, 1995 authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15)

GENERAL ORDINANCE NO. 148, 1995 authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7)

GENERAL ORDINANCE NO. 149, 1995 authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7)

GENERAL ORDINANCE NO. 150, 1995 authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7)

GENERAL ORDINANCE NO. 151, 1995 authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21)

GENERAL ORDINANCE NO. 152, 1995 authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16)

GENERAL ORDINANCE NO. 153, 1995 authorizes a multi-way stop at Diana Drive and Echo Lane (District 1)

GENERAL ORDINANCE NO. 154, 1995 authorizes intersection controls for Legendary Hills subdivision (District 1)

GENERAL ORDINANCE NO. 155, 1995 authorizes intersection controls for Hunters Green subdivision

GENERAL ORDINANCE NO. 156, 1995 authorizes intersection controls for the Pheasant Run subdivision (District 19)

GENERAL ORDINANCE NO. 157, 1995 authorizes a one-way southbound on Chester Avenue from New York Street to Washington Street (District 15)

GENERAL ORDINANCE NO. 158, 1995 authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25)

GENERAL ORDINANCE NO. 159, 1995 authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12)

GENERAL ORDINANCE NO. 160, 1995 authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22)

GENERAL ORDINANCE NO. 161, 1995 authorizes stop signs for Country Pointe subdivision (District 18)

GENERAL ORDINANCE NO. 162, 1995 authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24)

GENERAL ORDINANCE NO. 163, 1995 authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13)

GENERAL ORDINANCE NO. 164, 1995 authorizes a multi-way stop at 18th Street and Alton Avenue (District 16)

GENERAL ORDINANCE NO. 165, 1995 authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7)

GENERAL ORDINANCE NO. 166, 1995 authorizes a stop sign at 29th Street and Wheeler Street (District 10)

GENERAL ORDINANCE NO. 167, 1995 authorizes a multi-way stop at 9th Street and Dequincy Street (District 15)

GENERAL ORDINANCE NO. 168, 1995 authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17)

GENERAL ORDINANCE NO. 169, 1995 authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16)

GENERAL ORDINANCE NO. 170, 1995 authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21)

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GENERAL ORDINANCE NO. 171, 1995 authorizes a multi-way stop at Porter Street and Conaroe Street (District 19)

GENERAL ORDINANCE NO. 172, 1995 authorizes a multi-way stop at Naab Road and Dugan Drive (District 3)

GENERAL ORDINANCE NO. 173, 1995 authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1)

GENERAL ORDINANCE NO. 174, 1995 authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25)

GENERAL ORDINANCE NO. 175, 1995 authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17)

GENERAL ORDINANCE NO. 176, 1995 authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14)

GENERAL ORDINANCE NO. 177, 1995 authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15)

GENERAL ORDINANCE NO. 178, 1995 authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16)

GENERAL ORDINANCE NO. 179, 1995 authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17)

SPECIAL RESOLUTION NO. 84, 1995 recognizes the 503rd anniversary of Christopher Columbus' voyage to the New World and the Caito family of Indianapolis

SPECIAL RESOLUTION NO. 85, 1995 remembers the life and contributions of Thomas C. Hasbrook

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 THE JOURNAL

The President called for additions or corrections to the Journal of October 16, 1995. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 749, 1995. The proposal, sponsored by Councillor SerVaas, recognizes the Korean and Vietnam War Veterans Memorials in Indianapolis. Councillor SerVaas read the proposal and moved for its adoption. Proposal No. 749, 1995 was adopted by unanimous voice vote.

Proposal No. 749, 1995 was retitled SPECIAL RESOLUTION NO. 86, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 86, 1995

A SPECIAL RESOLUTION recognizing the Korean and Vietnam War Veterans Memorials in Indianapolis.

WHEREAS, Hoosiers are exceedingly patriotic by nature, and when the nation calls, our young people don uniforms and the home front quickly busies itself growing and processing food and manufacturing the supplies that are needed by America's armed forces; and

WHEREAS, Indianapolis is the home of memorial buildings, plaques and sites that remember the Civil War, Indian Wars, the Spanish-American War, World War I, World War II and Desert Storm; and

WHEREAS, in 1992, Indianapolis dedicated a portion of Vermont Street as the "Korean War Memorial Way," and the next year a section of 10th Street was made the "Vietnam Veterans Memorial Way;" now, therefore:

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

SECTION 1. The Indianapolis City-County Council commends the State of Indiana and the many volunteers who have worked for the construction of memorials that honor Indiana veterans of the Korean and Vietnam Wars.

SECTION 2. May these monuments serve as a fitting testament to those brave men and women who served during those two wars.

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

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

PROPOSAL NOS. 617, 618, and 619, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal Nos. 617, 618, and 619, 1995 on October 26, 1995. PROPOSAL NO. 617, 1995. The proposal, sponsored by Councillor McClamroch, appoints Walter Blackburn to the Indianapolis Greenways Development Committee. PROPOSAL NO. 618, 1995. The proposal, sponsored by Councillor McClamroch, appoints Katherine A. Price to the Indianapolis Greenways Development Committee. PROPOSAL NO. 619, 1995. The proposal, sponsored by Councillor McClamroch, appoints Robert Weddle to the Indianapolis Greenways Development Committee. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Giffin moved, seconded by Councillor McClamroch, for adoption. Proposal Nos. 617, 618, and 619, 1995 were adopted by a unanimous voice vote.

Proposal No. 617, 1995 was retitled COUNCIL RESOLUTION NO. 67, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 1995

A COUNCIL RESOLUTION appointing Walter Blackburn to the Indianapolis Greenways Development Committee.

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

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Walter Blackburn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

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Proposal No. 618, 1995 was retitled COUNCIL RESOLUTION NO. 68, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 1995

A COUNCIL RESOLUTION appointing Katherine A. Price to the Indianapolis Greenways Development Committee.

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

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Katherine A. Price

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 619, 1995 was retitled COUNCIL RESOLUTION NO. 69, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1995

A COUNCIL RESOLUTION appointing Robert Weddle to the Indianapolis Greenways Development Committee.

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

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Robert Weddle

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.

PROPOSAL NO. 559, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 559, 1995 on October 25, 1995. The proposal confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Councillor Dowden introduced David Cook. Proposal No. 559, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Golc

Proposal No. 559, 1995 was retitled COUNCIL RESOLUTION NO. 70, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 1995

A COUNCIL RESOLUTION confirming the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender.

WHEREAS, pursuant to Sec. 246-4 of the "Revised Code of the Consolidated City and County", a Marion County Public Defender Board nomination of the Marion County Chief Public Defender is subject to the approval of the City-County Council; and

WHEREAS, the Marion County Public Defender Board has submitted to this Council the name of David Cook to serve as Marion County Chief Public Defender; now, therefore:

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

SECTION 1. David Cook is approved and confirmed by the City-County Council to serve as Marion County Chief Public Defender.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 717, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$3,000 for the County Surveyor to pay overtime due to additional work on behalf of IMAGIS financed by transfers of other appropriations within the agency's County General Fund"; and the President referred it to the Administration and Finance Committee.

Councillor Rhodes moved to suspend the Council rules and hear Proposal No. 717, 1995 at this time. This motion passed by unanimous voice vote. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 717, 1995 on October 23, 1995. He stated that aerial photographs must be taken of the white chevrons while the leaves are off the trees and before the snow comes. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 717, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Golc

Proposal No. 717, 1995 was retitled FISCAL ORDINANCE NO. 105, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Three Thousand Dollars (\$3,000) in the County General Fund for purposes of the County Surveyor and County Auditor and reducing certain other appropriations for that agency.

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 (j) and (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Surveyor and County Auditor to transfer funds for over-time personal services for additional work on behalf of IMAGIS.

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

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	2,250
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>750</u>
TOTAL INCREASE	3,000

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

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>3,000</u>
TOTAL DECREASE	3,000

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

PROPOSAL NO. 718, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Donald R. Hudson to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 719, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city-owned property management and maintenance financed by a transfer within the division's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 720, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 721, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 722, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 723, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 724, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$338,114 for the County Auditor, Prosecuting Attorney, County Sheriff, and the Presiding Judge of the Municipal Courts which is the third quarter distribution of the Deferral Program Fee Fund financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 725, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$38,782 for Community Corrections to fund a Jail Work Program financed by County General Fund Jail Reserve Account"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 726, 1995. Introduced by Councillors McClamroch and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David McClure to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 727, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code pertaining to the Information Services Board, Agency"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 728, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which permits additional materials for right-of-way restoration"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 729, 1995. Introduced by Councillors Borst and Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes traffic signal at Morris Street and Union Street (Districts 16, 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 730, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes traffic signal at Palmer Street and Union Street (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 731, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for the intersections in the Forest Creek subdivision, Sections 1 and 2 (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 732, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 68th Street

and Riley Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 733, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 734, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Caven Street and Kennington Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 735, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 736, 1995. Introduced by Councillors Brent, Shambaugh, Gray, Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Lafayette Road on both sides from 16th Street to I-65 (Districts 16, 8, 9, 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 737, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 715, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 715, 1995 on October 19, 1995. The proposal amends S.R. No. 34, 1995, by increasing the amount of the inducement resolution from \$15,000,000 to \$17,000,000 and by extending the expiration date through May 31, 1996 for Willowbrook Park, L.P. (4803 Round Lake Road - District 7). 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 Rhodes, for adoption.

Councillor Moriarty Adams stated that she will abstain from voting on Proposal No. 715, 1995, due to a conflict of interest.

Proposal No. 715, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Franklin, Moriarty Adams, West

Proposal No. 715, 1995 was retitled SPECIAL RESOLUTION NO. 87, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1995, 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. 34, 1995 (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 Willowbrook Park, L.P. (the "Company") which Inducement Resolution set an expiration date of October 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, the Inducement Resolution set the maximum aggregate principal amount of economic development revenue bonds to be issued for the Project (as defined in the Inducement Resolution) at \$15,000,000 and the Company has requested that such amount be increased to \$17,000,000 and has shown good cause for such increase; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1995, contained therein and replacing said date with the date of May 31, 1996 and by deleting the words and figures "Fifteen Million Dollars (\$15,000,000)" contained in Section 2 of the Inducement Resolution and replacing said words and figures with the sum of Seventeen Million Dollars (\$17,000,000).

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. 716, 1995 Councillor Borst reported that the Economic Development Committee heard Proposal No. 716, 1995 on October 19, 1995. The proposal amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 716, 1995 was adopted on the following roll call vote; viz:

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

1 NOT VOTING: Franklin

Proposal No. 716, 1995 was retitled SPECIAL ORDINANCE NO. 17, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1995

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) and approving and authorizing other actions in respect thereto.

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

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings 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 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 City of Indianapolis, Indiana (the "Issuer") has previously issued its Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "Original Bond") in the original principal amount of One Million Three Hundred Thirty Five Thousand Dollars (\$1,335,000), dated as of September 1, 1985 in order to obtain funds to loan to Web Realty of Indianapolis, Ltd., an Indiana limited partnership, (the "Borrower"), pursuant to the Loan Agreement, Mortgage and Security Agreement, dated as of September 1, 1985 and recorded on September 25, 1985, as Instrument 85-83069 (the "Original Loan Agreement" or the "Original Mortgage") between the Issuer and the Borrower; and

WHEREAS, the Borrower and State Street Bank and Trust Company (the "Bondholder") have each requested that the Issuer agree to amend and restate the Original Loan Agreement as of the Amendment Date defined in the Amended and Restated Loan Agreement (as hereinafter defined); and

WHEREAS, the Amended and Restated Loan Agreement (as hereinafter defined) provides for the repayment by the Borrower of such loan and further provides (i) for the Borrower's repayment obligation to be evidenced by the Borrower's Amended and Restated Promissory Note (the "1995 Note") and (ii) for such loan and the 1995 Note to be secured by the lien and security interest therein provided for; and

WHEREAS, the Issuer will endorse the 1995 Note without recourse and assign certain of its rights under the Loan Agreement as security for the Amended and Restated City of Indianapolis Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "1995 Bond"), which is payable solely and only out of the payments to be made by the Borrower with respect to the 1995 Note, except to the extent paid out of proceeds of condemnation and insurance;

WHEREAS, the Indianapolis Economic Development Commission on October 18, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the (1) Amended and Restated Loan Agreement, Mortgage, Security Agreement dated as of September 1, 1995 between the Issuer and the Borrower (the "Amended and Restated Loan Agreement"); (2) 1995 Note; and (3) 1995 Bond in the forms presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Amended and Restated Loan Agreement, 1995 Note and 1995 Bond 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:

Proposal No. 715, 1995 was retitled SPECIAL RESOLUTION NO. 87, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1995, 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. 34, 1995 (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 Willowbrook Park, L.P. (the "Company") which Inducement Resolution set an expiration date of October 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, the Inducement Resolution set the maximum aggregate principal amount of economic development revenue bonds to be issued for the Project (as defined in the Inducement Resolution) at \$15,000,000 and the Company has requested that such amount be increased to \$17,000,000 and has shown good cause for such increase; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1995, contained therein and replacing said date with the date of May 31, 1996 and by deleting the words and figures "Fifteen Million Dollars (\$15,000,000)" contained in Section 2 of the Inducement Resolution and replacing said words and figures with the sum of Seventeen Million Dollars (\$17,000,000).

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. 716, 1995 Councillor Borst reported that the Economic Development Committee heard Proposal No. 716, 1995 on October 19, 1995. The proposal amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 716, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Franklin

Proposal No. 716, 1995 was retitled SPECIAL ORDINANCE NO. 17, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1995

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) and approving and authorizing other actions in respect thereto.

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

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings 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 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 City of Indianapolis, Indiana (the "Issuer") has previously issued its Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "Original Bond") in the original principal amount of One Million Three Hundred Thirty Five Thousand Dollars (\$1,335,000), dated as of September 1, 1985 in order to obtain funds to loan to Web Realty of Indianapolis, Ltd., an Indiana limited partnership, (the "Borrower"), pursuant to the Loan Agreement, Mortgage and Security Agreement, dated as of September 1, 1985 and recorded on September 25, 1985, as Instrument 85-83069 (the "Original Loan Agreement" or the "Original Mortgage") between the Issuer and the Borrower; and

WHEREAS, the Borrower and State Street Bank and Trust Company (the "Bondholder") have each requested that the Issuer agree to amend and restate the Original Loan Agreement as of the Amendment Date defined in the Amended and Restated Loan Agreement (as hereinafter defined); and

WHEREAS, the Amended and Restated Loan Agreement (as hereinafter defined) provides for the repayment by the Borrower of such loan and further provides (i) for the Borrower's repayment obligation to be evidenced by the Borrower's Amended and Restated Promissory Note (the "1995 Note") and (ii) for such loan and the 1995 Note to be secured by the lien and security interest therein provided for; and

WHEREAS, the Issuer will endorse the 1995 Note without recourse and assign certain of its rights under the Loan Agreement as security for the Amended and Restated City of Indianapolis Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "1995 Bond"), which is payable solely and only out of the payments to be made by the Borrower with respect to the 1995 Note, except to the extent paid out of proceeds of condemnation and insurance;

WHEREAS, the Indianapolis Economic Development Commission on October 18, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the (1) Amended and Restated Loan Agreement, Mortgage, Security Agreement dated as of September 1, 1995 between the Issuer and the Borrower (the "Amended and Restated Loan Agreement"); (2) 1995 Note; and (3) 1995 Bond in the forms presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Amended and Restated Loan Agreement, 1995 Note and 1995 Bond 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 execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approved by the Indianapolis Economic Development Commission are each hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 4. The provisions of this ordinance, the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond shall constitute a contract binding between the City of Indianapolis and the parties to the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond, and after the execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond shall remain in effect.

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

PROPOSAL NO. 738, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 20, 1995." The Council did not schedule Proposal No. 738, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 738, 1995 was retitled REZONING ORDINANCE NO. 166, 1995 and is identified as follows:

REZONING ORDINANCE NO. 166, 1995. 95-Z-4
8004 WEST 88TH STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1.
MARVIN F. MILLER, SR. requests the rezoning of 23.7 acres, being in the D-A(FF) and D-2(FF) Districts, to the D-1(FF) classification to provide for single-family residential development.

PROPOSAL NOS. 739-747, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 19, 1995."

Councillor Giffin asked for consent to make some comments concerning Proposal No. 739, 1995. Consent was given. He stated that this rezoning is for 1200 acres in Decatur Township known as the Ameriplex Industrial Complex. He noted that a number of people were present who oppose this rezoning. He supports the rezoning because it will replace a lost tax base due to the location of the International Airport in Decatur Township.

Councillor Jimison moved for a public hearing on this proposal. This motion failed by the following roll call vote; viz:

11 YEAS: Black, Boyd, Brents, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Short, Williams

October 30, 1995

17 NAYS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*
1 NOT VOTING: *Hinkle*

Councillor Hinkle stated for the record that he believes Councillor Giffin has an excellent record in representing the people of Decatur Township.

The Council did not schedule Proposal Nos. 739-747, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 739-747, 1995 were retitled REZONING ORDINANCE NOS. 167-175, 1995, and are identified as follows:

REZONING ORDINANCE NO. 167, 1995. 95-Z-149
5950 KENTUCKY AVENUE (approximate address), INDIANAPOLIS, generally bound by I-70 on the North, County Line on the West and Kentucky Avenue on the Southeast.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.
MIDWEST LOGISTICS PARTNERS, L.P., by Joseph M. Scimia, requests the rezoning of 1,217.24 acres, being in the D-A, D-3, I-2-S, I-3-S and I-4-S Districts, to the C-S classification to provide for a mixed use advanced technology and commerce park.

REZONING ORDINANCE NO. 168, 1995. 95-Z-129
6617 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
RICHARD BRUCE COOPER, by Peter D. Cleveland, requests the rezoning of 2.4 acres, being in the D-5 District, to the C-4 classification to provide for additions to an existing motel facility.

REZONING ORDINANCE NO. 169, 1995. 95-Z-158
130 EAST 30TH STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.42 acre, being in the D-5 District, to the C-I classification to provide for offices for a community development corporation.

REZONING ORDINANCE NO. 170, 1995. 95-Z-159
8465 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
EAGLE VALLEY CHURCH OF CHRIST requests the rezoning of 2.95 acres, being in the D-A District, to the SU-I classification to provide for church use.

REZONING ORDINANCE NO. 171, 1995. 95-Z-161
3418 EAST 20TH STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10.
CORDELL E. and ADELAIDE E. MAYNARD request the rezoning of 0.5 acre, being in the C-2 District, to the SU-1 classification to provide for the continued operation for a religious use.

REZONING ORDINANCE NO. 172, 1995. 95-Z-164
2551 TANSEL ROAD(rear) (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickles, requests the rezoning of 12.58 acres, being in the D-A District, to the D-3 classification to provide for residential development by platting.

REZONING ORDINANCE NO. 173, 1995. 95-Z-165
2351 TANSEL ROAD(rear) (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickles, requests the rezoning of 1.428 acres, being in the D-A District, to the D-3 classification to provide for residential development by platting.

REZONING ORDINANCE NO. 174, 1995. 95-Z-166
4728-4750 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 6.
NORLE INVESTMENTS, INC. requests the rezoning of 0.3483 acre, being in the D-5 District, to the C-5 classification to provide for the continued operation for the sales of new and used automobiles.

REZONING ORDINANCE NO. 175, 1995. 95-Z-167
6848-6850 EAST 21ST STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10.
RICHARD and R.W. ASKREN, by Mitch Sever, requests the rezoning of 7.5 acres, being in the SU-16 and C-2 District, to the C-4 classification to provide for commercial development.

PROPOSAL NO. 748, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 25, 1995." The Council did not schedule Proposal No. 748, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 748, 1995 was retitled REZONING ORDINANCE NO. 176, 1995, and is identified as follows:

REZONING ORDINANCE NO. 176, 1995. 95-Z-50 (Amended)
8926 SHELBY STREET (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.
VIDYA MILLER SATOSKAR, requests the rezoning of 1.84 acres, being in the D-A District, to the C-1 classification to provide for a family practice doctor's office.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 616, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 616, 1995 on October 12, 1995. The proposal is an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin stated that subsequent to the Committee meeting there has been an effort by Councillor O'Dell to see if this \$72,000 appropriation could be a loan rather than an appropriation. Councillor O'Dell said that he has discussed this matter with the director and the financial representatives of the Parks Department. They need a few more weeks to see if this is possible. Councillor O'Dell moved, seconded by Councillor Giffin, to postpone Proposal No. 616, 1995 until November 20, 1995.

Councillor Gray stated that this appropriation is financed by green fees. He is opposed to postponing this proposal.

Proposal No. 616, 1995 was postponed until November 20, 1995 by a voice vote.

PROPOSAL NO. 620, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 620, 1995 on September 26, 1995. The proposal is an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development 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 8:04 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 620, 1995 was adopted on the following roll call vote; viz:

October 30, 1995

22 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jones, McClamroch, Moriarty Adams, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams*

0 NAYS:

7 NOT VOTING: *Hinkle, Jimison, Mullin, O'Dell, Rhodes, Smith, West*

Proposal No. 620, 1995 was retitled FISCAL ORDINANCE NO. 106, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Thousand Dollars (\$100,000) 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 digitize zoning maps.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) 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>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	<u>METROPOLITAN DEVELOPMENT</u> <u>GENERAL FUND</u>
3. Other Services and Charges	100,000
TOTAL INCREASE	100,000

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	100,000
TOTAL REDUCTION	100,000

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

PROPOSAL NO. 621, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 621, 1995 on October 11, 1995. The proposal is an appropriation of \$6,974 for Superior Court, Criminal Division, Room Two, to pay court employees overtime in death penalty cases with sequestered jurors financed from County General Fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:07 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 621, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brens, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, Moriarty Adams, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: McClamroch

5 NOT VOTING: Gray, Jimison, Mullin, Schneider, Tilford

Proposal No. 621, 1995 was retitled FISCAL ORDINANCE NO. 107, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Six Thousand Nine Hundred Seventy-four Dollars (\$6,974) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Two 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.(ff) and(b) 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, Criminal Division, Room Two to cover overtime expenses for court employees working with sequestered jurors in a death penalty case.

SECTION 2. The sum of Six Thousand Nine Hundred Seventy-four (\$6,974) 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, CRIMINAL DIVISION, ROOM TWO</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	5,551
<u>COUNTY AUDITOR</u>	
1. Personal Services, fringes	<u>1,423</u>
TOTAL INCREASE	6,974

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>6,974</u>
TOTAL REDUCTION	6,974

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

PROPOSAL NO. 625, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 625, 1995 on October 11, 1995. The proposal is an appropriation of \$272,850 for the County Sheriff to pay increased per diem cost and utilization of the Riverside Residential Center financed by revenues reserved for jail expansion in the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams stated that this facility is in her district and they are good neighbors. The issue is the zoning variance. The facility is zoned for 80 people; the facility needs to go through the zoning process to determine if it can be zoned for additional people. She moved to table this

proposal until the proper zoning procedures are followed. This motion was seconded by Councillor Boyd.

Councillor Dowden said that the zoning issue at Riverside needs to be resolved, but the Sheriff needs this money in order to take care of excess prisoners.

The President said that this appropriation supports the people detained at Riverside. He believes that if Riverside is in violation, an inspector from the Department of Metropolitan Development should file an action against it.

Councillor Williams' motion to table failed by the following roll call vote; viz:

10 YEAS: Black, Boyd, Brents, Golc, Gray, Hinkle, Jones, Mullin, Short, Williams

19 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

The President called for public testimony at 8:22 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 625, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

7 NAYS: Black, Boyd, Brents, Golc, Gray, Jones, Williams

1 NOT VOTING: Giffin

Proposal No. 625, 1995 was retitled FISCAL ORDINANCE NO. 108, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Seventy-two Thousand Eight Hundred Fifty Dollars (\$272,850) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered reserve for jail expansion 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(z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to fund the increased per diem costs and utilization of the Riverside Residential Center through 1995.

SECTION 2. The sum of Two Hundred Seventy-two Thousand Eight Hundred Fifty Dollars (\$272,850) 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>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>272,850</u>
TOTAL INCREASE	272,850

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

COUNTY GENERAL FUND

Unappropriated and Unencumbered	
County General Fund	<u>272,850</u>
TOTAL REDUCTION	272,850

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

PROPOSAL NO. 626, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 626, 1995 on October 11, 1995. The proposal is an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General 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 8:23 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 626, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Black, Giffin, Short

Proposal No. 626, 1995 was retitled FISCAL ORDINANCE NO. 109, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twenty-four Thousand Two Hundred Seventy-two Dollars (\$24,272) in the County General Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered reserve for jail expansion 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(aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for five additional officers needed to staff the Community Corrections Annex to receive additional offenders.

SECTION 2. The sum of Twenty-four Thousand Two Hundred Seventy-two Dollars (\$24,272) 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>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>24,272</u>
TOTAL INCREASE	24,272

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

COUNTY GENERAL FUND

Unappropriated and Unencumbered	
County General Fund	<u>24,272</u>
TOTAL REDUCTION	24,272

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

PROPOSAL NO. 630, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 630, 1995 on October 12, 1995. The proposal is an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption.

Councillor Tilford asked for consent to abstain due to a conflict of interest. Consent was given.

Proposal No. 630, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Borst, Short, Tilford*

Proposal No. 630, 1995 was retitled FISCAL ORDINANCE NO. 110, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110 , 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division and reducing certain other appropriations for the Maintenance Operations Division and the unappropriated fund balance.

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 (l) 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 Public Works, Maintenance Operations Division to fund budget shortfalls for health insurance, overtime, and salaries.

SECTION 2. The sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>MAINTENANCE OPERATIONS</u>
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>GENERAL FUND</u>
1. Personal Services	<u>1,250,000</u>
TOTAL INCREASE	1,250,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>MAINTENANCE OPERATIONS</u>
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>GENERAL FUND</u>
2. Supplies	412,605
3. Other Services and Charges	531,273
4. Capital Outlay	193,000
Unappropriated and Unencumbered Fund Balance	<u>113,122</u>
TOTAL REDUCTION	1,250,000

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

PROPOSAL NO. 676, 1995. The proposal is an appropriation of \$15,268 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant. Councillor Dowden asked for consent to postpone Proposal No. 676, 1995 until November 20, 1995. Consent was given.

PROPOSAL NO. 677, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 677, 1995 on October 25, 1995. The proposal is an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 677, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 677, 1995 was retitled FISCAL ORDINANCE NO. 111, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Ninety Thousand Dollars (\$90,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor from a grant from the Governor's Council on Impaired and Dangerous Driving to continue a study began in 1994.

SECTION 2. The sum of Ninety Thousand Dollars (\$90,000) 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:

PROSECUTING ATTORNEY

- 1. Personal Services
- 2. Supplies
- 3. Other Services and Charges

STATE AND FEDERAL GRANTS FUND

65,540
360
7,715

COUNTY AUDITOR

- 1. Personal Services - fringes
- TOTAL INCREASE

16,385
90,000

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

STATE AND FEDERAL GRANTS FUND

- Unappropriated and Unencumbered
- State and Federal Grants Fund
- TOTAL REDUCTION

90,000
90,000

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.

PROPOSAL NO. 678, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 678, 1995 on October 25, 1995. The proposal is an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Golc and Smith voiced their support for Proposal No. 678, 1995 in order to avert cutbacks to the agency.

Councillor Franklin stated that he opposes this proposal because 80% of the defendants who appear in court are declared indigent by the judges. He also said that it is not fair to ask law abiding citizens to carry the financial burden of the lawless without making a determination of their ability to pay.

Councillor Rhodes stated (1) that if the State wants counties to pay certain salaries, funding should be provided; and (2) that the majority of criminals could pay part of their defense. He said that next year there will be elections for the Superior Court and the Circuit Court judges. He hopes that the slating committees will ask the judges if they will support and actively collect in the recoupment program.

Councillor McClamroch said that he agrees with Councillors Franklin and Rhodes, but he believes the problems within the agency are externally caused. He moved to amend Proposal No. 678, 1995, by renumbering Section 5 as Section 6 and inserting a new Section 5 to read as follows:

SECTION 5. The Council's Public Safety and Criminal Justice Committee shall:

- 1. Review the composition and effectiveness of the Public Defender Board,

2. Review the management, structure, effectiveness, and operations of the Public Defender Agency,
3. Review the system of selection, compensation and assignment of public defenders providing legal representation of indigents in Marion County,
4. Analyze factors affecting the cost to taxpayers of the current public defender system,
5. Examine procedures for recoupment of costs from defendants provided legal services by the agency, and
6. Make recommendations to the City-County Council.

The Committee shall report to the full Council before any additional appropriations be afforded to the Public Defender Agency in 1996.

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

Councillor McClamroch listed as some of the external factors as recoupment, the CHINS (Children in Need of Services) cases, Rule 24, increase in conflict cases, the grandfathered employees, and the structure of the Board of Directors. This motion was seconded by Councillor Rhodes.

Councillor Williams said she supports Councillor McClamroch's motion, but she would also list the win rate in the court room by the Public Defender Agency as an external factor. Councillors Jimison, Mullin, and Golc voiced their support of the motion.

Councillor Boyd said he agrees with the motion but would like to add to the amendment the effectiveness of the agency in the delivery of services to clients. The President asked Councillors McClamroch and Boyd to work out the final wording on this issue within the amendment.

Councillor West moved the question. This motion passed by a unanimous voice vote.

Councillor Franklin said that he supports the motion to amend and will support Proposal No. 678, 1995, as amended.

Councillor McClamroch's motion to amend passed by unanimous voice vote.

[Clerk's Note: Councillors McClamroch and Boyd agreed to include the word "effectiveness" in Section 5 (2) as follows: Review the management, structure, effectiveness, and operations of the Public Defender Agency.]

The President called for public testimony at 9:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 678, 1995, as amended, 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, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*
0 NAYS:

Councillor Rhodes asked for consent to explain his vote. Consent was given. Councillor Rhodes said he voted for this proposal because of (1) Councillor McClamroch's amendment, and (2) his discussions with David Cook.

Proposal No. 678, 1995, as amended, was retitled FISCAL ORDINANCE NO. 112, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating Seven Thousand Five Hundred Eighty Dollars (\$7,580) and appropriating an additional Four Hundred Seventy-five Thousand Forty Dollars (\$475,040) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in 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(v) 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 Public Defender Agency for additional funds due to unanticipated and unbudgeted expenses.

SECTION 2. The sum of Seven Thousand Five Hundred Eighty Dollars (\$7,580) is transferred and Four Hundred Seventy-five Thousand Forty Dollars (\$475,040) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by transferring and reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	4,580
3. Other Services and Charges	<u>478,040</u>
TOTAL INCREASE	482,620

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

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	7,580
Unappropriated and Unencumbered County General Fund	<u>475,040</u>
TOTAL REDUCTION	482,620

SECTION 5. The Council's Public Safety and Criminal Justice Committee shall:

1. Review the composition and effectiveness of the Public Defender Board,
2. Review the management, structure, effectiveness, and operations of the Public Defender Agency,
3. Review the system of selection, compensation and assignment of public defenders providing legal representation of indigents in Marion County,
4. Analyze factors affecting the cost to taxpayers of the current public defender system,
5. Examine procedures for recoupment of costs from defendants provided legal services by the agency, and
6. Make recommendations to the City-County Council.

The Committee shall report to the full Council before any additional appropriations be afforded to the Public Defender Agency in 1996.

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

PROPOSAL NO. 679, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 679, 1995 on October 25, 1995. The proposal is an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant. 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 9:04 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 679, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 679, 1995 was retitled FISCAL ORDINANCE NO. 113, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Thirty-nine Thousand Seven Hundred Twenty-four Dollars (\$39,724) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (v) and (b) 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 Public Defender Agency and County Auditor continuing funding for a pretrial release and sentencing alternative program.

SECTION 2. The sum of Thirty-nine Thousand Seven Hundred Twenty-four Dollars (\$39,724) 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 PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	19,470
2. Supplies	525
3. Other Services and Charges	13,605
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	6,124
TOTAL INCREASE	39,724

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>39,724</u>
TOTAL REDUCTION	39,724

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.

PROPOSAL NOS. 680 and 681, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 680 and 681, 1995 on October 25, 1995. PROPOSAL NO. 680, 1995. The proposal is an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants. PROPOSAL NO. 681, 1995. The proposal is an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants. By a 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 9:09 p.m. on Proposal No. 680, 1995. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 680, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 680, 1995 was retitled FISCAL ORDINANCE NO. 114, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional One Hundred Eighty-six Thousand One Hundred Fifty Dollars (\$186,150) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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 (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for thirty additional work release beds for 95/96.

SECTION 2. The sum of One Hundred Eighty-six Thousand One Hundred Fifty Dollars (\$186,150) 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>COMMUNITY CORRECTIONS AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>186,150</u>
TOTAL INCREASE	186,150

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>186,150</u>
TOTAL REDUCTION	186,150

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.

The President called for public testimony at 9:10 p.m. on Proposal No. 681, 1995. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 681, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Giffin, Jimison*

Proposal No. 681, 1995 was retitled FISCAL ORDINANCE NO. 115, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Sixty Thousand Dollars (\$60,000) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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 (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for additional home detention equipment and vehicles.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) 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>COMMUNITY CORRECTIONS AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>60,000</u>
TOTAL INCREASE	60,000

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

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants	<u>60,000</u>
TOTAL REDUCTION	60,000

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.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Dowden asked for consent to hear Proposal Nos. 670, 671, 674, 675, 683, and 684, 1995 at this time. Consent was given.

PROPOSAL NO. 670, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 670, 1995 on October 25, 1995. The proposal, sponsored by Councillor Curry, establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 670, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 670, 1995 was retitled GENERAL ORDINANCE NO. 181, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 181, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Article II of Chapter 135 concerning Nonreverting County Funds.

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

SECTION 1. Article II, Chapter 135 of the Revised Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

ARTICLE II. NONREVERTING COUNTY FUNDS

Sec. 135-211. Metropolitan Emergency Communications Agency General Fund.

(a) There is hereby created a special, nonreverting fund for the Metropolitan Emergency Communications Agency, to be designated as the "MECA General Fund." With the exception of the revenues derived from the levy of taxes imposed under the authority of IC 36-8-15-19, the auditor shall deposit into such fund all moneys received by or credited to the Metropolitan Emergency Communications Agency in the performance of its functions and duties, as provided in Article I,

Chapter 10, Sections 10-1 through 10-9 of the Code of Indianapolis and Marion County, and other moneys duly appropriated during each year, as approved by the city-county council, and as provided by law.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and such balances shall not lapse into the county general fund or be diverted directly or indirectly in any manner other than that set forth in subsection (c).

(c) Moneys in the MECA General Fund may be used for expenses incurred in carrying out the functions and duties of the Metropolitan Emergency Communications Agency Board and the Metropolitan Emergency Communications Agency as provided in Article I, Chapter 10, Sections 10-1 through 10-9 of the Code of Indianapolis and Marion County.

(d) Amounts shall be paid from this fund only pursuant to appropriations authorized by the city-county council in the normal budgeting processes.

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

PROPOSAL NO. 671, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 671, 1995 on October 25, 1995. The proposal amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the total salary of the Marion County Prosecutor. 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 West, for adoption. Proposal No. 671, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Beadling, Black, Giffin

Proposal No. 671, 1995 was retitled GENERAL RESOLUTION NO. 9, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1995

A GENERAL RESOLUTION to establish a new salary range for the Marion County Chief Public Defender.

WHEREAS, pursuant to IC 36-3-6-3 the City-County Council has the authority to fix the annual compensation of all appointed officers, deputies and employees under its jurisdiction, including those whose compensation is payable from the county general fund; and

WHEREAS, the Council has exercised this authority by establishing a schedule of compensation for County employees; and

WHEREAS, in order to qualify for State funds which are available to reimburse counties that meet State Public Defender Commission Standards, the County is required to pay its Chief Public Defender a salary which is at least equal to ninety percent (90%) of the County Prosecutor; and

WHEREAS, the current schedule of compensation does not provide for a salary high enough to meet the minimum required salary for the Chief Public Defender; 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, as the legislative and fiscal body of Marion County hereby amends the compensation schedule for Marion County officers and employees by adding the underlined language:

<u>DBM RATING</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A12	\$10,892	\$13,070	\$15,249
A13	12,295	14,754	17,213
B21	13,395	16,408	19,422
B22	14,670	17,971	21,272
B23	16,067	19,682	23,298
B24	17,598	21,557	25,516
B31	20,171	24,709	29,247
B32	23,527	28,821	34,115
C41	25,313	31,262	37,212
C42	27,013	33,360	39,708
C43	28,825	35,599	42,373
C51	30,892	38,615	46,338
C52	34,056	42,570	51,084
D61	34,311	43,746	53,181
D62	35,799	45,643	55,488
D63	38,201	48,706	59,211
D71	39,255	51,031	62,808
D72	43,276	56,248	69,241
E81	46,942	61,025	75,107
<u>E81 (Chief Public Defender)</u>	_____	_____	<u>90% of total salary of Marion County Prosecutor</u>
E82	50,091	65,119	80,147
E83	50,308	65,401	80,493

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

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

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

PROPOSAL NO. 674, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 674, 1995 on October 25, 1995. The proposal is an appropriation of \$4,400 for the Superior Court, Criminal Division, Room Six, to cover supply, phone, and computer expenses financed by a transfer of funds within the court's County General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 674, 1995, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 674, 1995, as amended, was retitled FISCAL ORDINANCE NO. 116, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Four Thousand Four Hundred Dollars (\$4,400) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Six and reducing certain other appropriations for that Court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (jj) 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, Criminal Division, Room Six transferring funds to cover shortages in supplies and other services and charges.

SECTION 2. The sum of Four Thousand Four Hundred Dollars (\$4,400) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,700
3. Other Services and Charges	<u>2,700</u>
TOTAL INCREASE	4,400

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

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
I. Personal Services	<u>4,400</u>
TOTAL DECREASE	4,400

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

PROPOSAL NO. 675, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 675, 1995 on October 25, 1995. The proposal is an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 675, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 675, 1995 was retitled FISCAL ORDINANCE NO. 117, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 117, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that agency.

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 (II) 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, Criminal Division, Probation Department to cover shortages in copying and telephone charges.

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

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	
<u>PROBATION DEPARTMENT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	4,000
TOTAL INCREASE	4,000

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

<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	
<u>PROBATION DEPARTMENT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	4,000
TOTAL DECREASE	4,000

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

PROPOSAL NO. 683, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 683, 1995 on October 25, 1995. The proposal is an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 683, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 683, 1995 was retitled FISCAL ORDINANCE NO. 118, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Twenty Thousand Two Hundred Ten Dollars (\$20,210) in the County General Fund for purposes of the Community Corrections Agency and reducing certain other appropriations for that agency.

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 (aa) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency to transfer funds for maintenance agreements for proper character classification.

SECTION 2. The sum of Twenty Thousand Two Hundred Ten Dollars (\$20,210) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	20,210
TOTAL INCREASE	20,210

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

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	20,210
TOTAL DECREASE	20,210

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

PROPOSAL NO. 684, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 684, 1995 on October 25, 1995. The proposal is an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed by a transfer within the division's Consolidated County Fund. 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. Proposal No. 684, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 684, 1995 was retitled FISCAL ORDINANCE NO. 119, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the Consolidated County Fund for purposes of the Department of Public Safety, Weights and Measures Division and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (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, Weights and Measures Division to purchase a personal computer.

October 30, 1995

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

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	\$2,500
TOTAL INCREASE	\$2,500

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

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	\$2,500
TOTAL REDUCTION	\$2,500

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

PROPOSAL NO. 520, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 520, 1995 on October 23, 1995. The proposal gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to benefit leave and receive pay for it upon separation. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption.

Councillor Williams asked if the Information Services Agency ("ISA") is now privatized--are the agreements finalized. Tom Olsen, Acting Director, ISA, stated the present status of the negotiations is an agreement of substance. It is the intention of the ISA Board to submit an ordinance for introduction at the next Council meeting concerning this issue.

Proposal No. 520, 1995, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 520, 1995, as amended was retitled GENERAL ORDINANCE NO. 182, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE 182, 1995

A PROPOSAL FOR A GENERAL ORDINANCE adding Sec. 23-40 of the Code of Indianapolis and Marion County to prohibit the payout of compensatory time to exempt and excluded employees.

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

SECTION 1. Section 23-40 of the Code of Indianapolis and Marion County is hereby added to read as follows:

Section 23-40. Special Conversion Period.

(a) Notwithstanding Sec. 23-39(c), current employees of the Information Services Agency (ISA) and any other City and County employees whose job functions are to be performed by the information technology outsourcing vendor pursuant to the Information Operating Agreement ("Agreement") ("affected employees") may elect to convert accrued sick leave in excess of 144 hours or 135 hours (whichever is applicable) to benefit leave at the rate of one (1) benefit leave hour for every two (2) sick hours. Such election must be made in writing to the appropriate official or department director no more than thirty (30) days after the City-County Council has given approval to the Agreement and will be effective upon submission. Affected employees who elected to convert sick leave effective July 1, 1995 or January 1, 1996 pursuant to Sec. 23-39(c)(2) may elect to rescind the conversion by notifying the appropriate official or department director in writing of the rescission prior to February 15, 1996. Upon such notification, the affected employee will be credited with appropriate sick leave as computed in this section to the extent he/she has sufficient benefit leave to reconvert.

(b) Notwithstanding 23-26(h) current employees of ISA may carry over an unlimited number of benefit leave hours, with the approval of the ISA director, from calendar year 1995 to calendar year 1996. The maximum carry over limits established by Sec. 23-26(h) shall apply to ISA employees in subsequent years.

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

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

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

PROPOSAL NO. 665, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 665, 1995 on October 24, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #1, #3, #19, and #32. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Beadling, for adoption. Proposal No. 665, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams

0 NAYS:

5 NOT VOTING: Dowden, Giffin, Hinkle, O'Dell, Smith

Proposal No. 665, 1995 was retitled GENERAL ORDINANCE NO. 183, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 183, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-11

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana, which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

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

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #1, #3, #19, and #32 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #1, the four sections of base map #3, the four sections of base map #19, and the four sections of base map #32 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to July 17, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 666, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 666, 1995 on October 23, 1995. The proposal provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 666, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Boyd, Giffin, Short

Proposal No. 666, 1995 was retitled GENERAL ORDINANCE NO. 184, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 184, 1995

A GENERAL ORDINANCE amending Section 23-13 to the Code of Indianapolis and Marion County.

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

SECTION 1. Section 13 of Article I of Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by adding the words underlined and deleting the words stricken as follows:

(a) Effective as of ~~June~~ September 30, 1993~~5~~, the city may make an early retirement program available to city employees who are in positions covered by the Master Agreement between the City of Indianapolis and the American Federation of State, County and Municipal Employees, Indiana Council 62 as follows:

- (1) The program shall be available to covered employees who are eligible for retirement benefits under the Public Employees' Retirement Fund.
 - (2) The following schedule of benefits shall apply to employees who elect to take early retirement:
 - (i) For employees who have completed at least 10 years but less than 15 years of continuous service with the city: ~~\$1,500.00~~ 1,750.00.
 - (ii) For employees who have completed at least 15 years but less than 20 years of continuous service with the city: ~~\$3,000.00~~ 3,500.00.
 - (iii) For employees who have completed at least 20 years ~~or more~~ but less than 25 years of continuous service with the city: ~~\$5,200.00~~ 5,500.00.
 - (iv) For employees who have completed 25 or more years of continuous service with the City:
\$6,500.00.
 - (3) Employees who elect to participate in the program may choose to have the benefit paid in a lump sum upon retirement, or may have the amount of the benefit applied to the purchase of continued health insurance under the city's health insurance plan, pursuant to state and federal law. The selection between these options must be made at least thirty (30) calendar days prior to retirement.
 - (4) Employees who choose to apply the benefit to the purchase of health insurance may do so under rules established by the office of the controller.
 - (5) The city may, at its option, elect to make this program available from time to time. However, the city shall make the program available at least once in calendar years 1993~~5~~, 1996, 1997 and 1998 ~~and once in calendar year 1994~~. The program may be made available on an unlimited basis or for a limited number of covered employees. The program may be made available citywide or on a departmental basis.
- (b) The program authorized by this section shall expire upon the expiration of the 1993~~5~~ 1994 Master Agreement between the City of Indianapolis and the American Federation of State, County and Municipal Employees, Indiana Council 62.

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

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

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

PROPOSAL NO. 667, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 667, 1995 on October 23, 1995. The proposal is an appropriation of \$40,000 for the County Assessor to cover purchase of computer equipment financed by transfers within the agency's Property Reassessment Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 667, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 667, 1995 was retitled FISCAL ORDINANCE NO. 120, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Property Reassessment Fund for purposes of the County Assessor and reducing certain other appropriations for that agency.

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 (l) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Assessor to transfer funds to properly classify the purchase of computer equipment.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
4. Capital Outlay	<u>40,000</u>
TOTAL INCREASE	40,000

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

<u>COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	<u>40,000</u>
TOTAL DECREASE	40,000

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

PROPOSAL NO. 668, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 668, 1995 on October 23, 1995. The proposal is an appropriation transferring \$11,520 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by

transfers within the assessor's Property Reassessment Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Black, for adoption. Proposal No. 668, 1995, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 668, 1995, as amended, was retitled FISCAL ORDINANCE NO. 121, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Eleven Thousand Five Hundred Twenty Dollars (\$11,520) in the Property Reassessment Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that agency.

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 (t) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Washington Township Assessor to transfer funds to proper character for additional and originally anticipated expenditures, upgrades and replacements.

SECTION 2. The sum of Eleven Thousand Five Hundred Twenty Dollars (\$11,520) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	4,250
3. Other Services and Charges	2,000
4. Capital Outlay	<u>5,270</u>
TOTAL INCREASE	11,520

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

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	<u>11,520</u>
TOTAL DECREASE	11,520

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

PROPOSAL NO. 669, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 669, 1995 on October 24, 1995. The proposal is an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved,

seconded by Councillor Smith, for adoption. Proposal No. 669, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Boyd, Giffin*

Proposal No. 669, 1995 was retitled FISCAL ORDINANCE NO. 122, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Ninety-nine Thousand Five Hundred Dollars (\$99,500) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Planning Division and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes Department of Metropolitan Development, Planning Division to re-allocating the Federal Grant for Naval Air Warfare Center planning from contractual to internally operated.

SECTION 2. The sum of Ninety-nine Thousand Five Hundred Dollars (\$99,500) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
1. Personal Services	55,000
2. Supplies	12,000
4. Capital Outlay	<u>32,500</u>
TOTAL INCREASE	99,500

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

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	<u>99,500</u>
TOTAL REDUCTION	99,500

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

PROPOSAL NO. 712, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 712, 1995 on October 25, 1995. The proposal, sponsored by Councillor Hinkle, requests the Metropolitan Development Commission to initiate and adopt amendments to the Commercial and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominate use of which is for gambling activities. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as

amended. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 712, 1995, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 712, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 71, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1995

WHEREAS, current state laws authorizing "bingo" parlors have resulted in increasing numbers of essentially commercial bingo establishments in or near residential and light commercial zoning districts; and

WHEREAS, current zoning classifications when adopted did not contemplate specific gambling activities as a lawful commercial activity; and

WHEREAS, these activities create special concerns when operating in close proximity of residential and certain commercial uses; now, therefore:

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

SECTION 1. That the Director and staff of the Department of Metropolitan Development draft and propose to the Metropolitan Development Commission appropriate amendments to the Commercial and Dwelling Districts Zoning Ordinances and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominant use of which is for gambling activities.

SECTION 2. That said Director report to the Council's Metropolitan Development Committee on the progress of this project no later than December 20, 1995.

SECTION 3. That this resolution is in full force and effect upon adoption.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 327, 532, 589, 595, 600, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, and 697, 1995 on October 25, 1995. He stated that he will discuss and vote on Proposal No. 589, 1995 first, and then discuss and vote on the remaining transportation proposals.

PROPOSAL NO. 589, 1995. The proposal clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits. 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 Hinkle, for adoption. Proposal No. 589, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 589, 1995 was retitled GENERAL ORDINANCE NO. 185, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 185, 1995

A GENERAL ORDINANCE amending Section 271-25 of the Revised Code of the Consolidated City and County.

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

SECTION 1. Section 271-25 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 271-25. Powers

The capital asset management board shall:

- (1) Review all budgets of the metropolitan thoroughfare district and the department prepared for or proposed by the department and shall recommend to the city-county council any revisions or adjustments as the board deems desirable.
- (2) Hold any hearings to be held following public notice and make such findings and determinations required by applicable law to be made after such hearing, including but not limited to the issuance of special taxing district bonds.
- (3) Approve the award and amendment of contracts by the department for the purchase or lease of capital equipment, supplies, materials, services, or other property where the contract is required to be bid under IC 36-1-9.
- (4) Approve the award and amendment of public construction contracts required to be bid under IC 36-1-12.
- (5) Approve the acquisition of and leases for real estate.
- (6) Approve the disposal of property by department as specified in IC 36-1-11.
- (7) Approve the employment of persons engaged by contract to render professional or consulting services.
- (8) Accept streets and roads into the public road system after dedication pursuant to the procedure set forth in chapter 28 of the 1975 Code of Indianapolis and Marion County.
- (9) Hold hearings on appeal from denial of permits or waivers under the jurisdiction of the department of capital asset management.
- (10) Exercise the powers granted to of the board of public works ~~in~~ by IC 36-9-18, IC 36-9-19, IC 36-9-20, IC 36-9-21, IC 36-9-22, IC 36-9-37, IC 36-9-38 and IC 36-9-39.
- (11) Exercise all powers granted to the transportation board by IC 36-9-6.5 and IC 36-9-11.1.
- (12) Contract with any individual or corporation for providing streetlights, maintenance for streetlights and lighting for streets, alleys or public places, but any such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five (25) years.
- (13) To enter into a franchise, grant or contract authorizing a telephone, telegraph, electric light, gas, water, steam, railroad, or interurban company or any other person or corporation to erect and use structures in streets, alleys or other public places in the city. Any such franchise, grant, or contract is subject to conditions imposed by chapter 31 of the 1975 Code. This power shall not be construed in any way to interfere with the exclusive power of the cable franchise board

established in section 8½-40 of the 1975 Code of Indianapolis and Marion County or the power of the board of public works pursuant to IC 36-9-31.

- (14) Exercise flood control power as described in IC 36-9-29.1, and drainage power as described in IC 36-9-27.
- (15) Exercise all powers not specifically stated herein formerly granted to the board of transportation and not transferred to the board of public works pursuant to IC 36-3-4-23.
- (16) Exercise the powers given to the board of public works or transportation in chapters 7, 10½, 28, 29 (except article 4, division 3), 31 and 671, articles II, ~~and~~ V and VII.

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

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

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

Councillor Beadling asked that Proposal No. 696, 1995 be heard separately.

PROPOSAL NO. 696, 1995. The proposal, sponsored by Councillor Brents, authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16). By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption.

Councillors Beadling and Curry voiced their opposition to this proposal because they believe the 55 degree parking on Washington Street will be hazardous. Councillor Rhodes suggested that these new angle parking spaces on Washington Street be for police vehicles only and let the public park on Market Street in front of the City-County Building.

The President passed the gavel to Vice President McClamroch. The President stated that it is his opinion that angle parking on busy streets is hazardous. The Vice President returned the gavel to the President.

Councillor O'Dell voiced his support for this proposal. Councillor Gilmer stated that he believes that the angle parking is worth a try. He also said that he liked Councillor Rhodes' suggestion.

Councillor Coughenour moved to table the proposal for further study. Councillor Jones seconded the motion.

Councillor Short said he is against tabling this proposal. He supports the proposal. Washington Street broadens from three to five lanes at Alabama Street. Cars will not be backing out of these angle parking spaces into traffic.

Councillor Coughenour's motion to table failed by a voice vote.

Councillor Schneider said that this proposal has been through the Committee process, it has been studied by the engineers and the experts in the transportation department. Councillor Schneider moved the previous question.

Proposal No. 696, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 696, 1995 was retitled GENERAL ORDINANCE NO. 186, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 186, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-254, Manner of parking.

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. 29-254, Manner of parking, be, and the same is hereby, amended by deleting the stricken-through text and inserting the underlined text to read as follows:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

55 degree parking
Washington Street, on the south side,
from Alabama Street to Delaware Street

(f) ~~(e)~~ Notwithstanding any other provision of this Code, it shall be unlawful for the owner, driver or operator of any vehicle to park or stop such vehicle or to permit such vehicle to be parked or to stand at any time, without exception, adjacent to any portion of a curb which is painted yellow.

(g) ~~(f)~~ Curbs which are painted yellow may include areas where a vehicle's parking, stopping or standing is prohibited by another section of this Code, or other areas deemed necessary by the transportation board.

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

PROPOSAL NO. 327, 1995. The proposal, sponsored by Councillor Williams, removes the parking restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22). PROPOSAL NO. 532, 1995. The proposal, sponsored by Councillor Gilmer, authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue. PROPOSAL NO. 595, 1995. The proposal, sponsored by Councillor Hinkle, authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18). PROPOSAL NO. 600, 1995. The proposal, sponsored by Councillors Boyd, Jones, and Schneider, authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465

(Districts 3, 6, 7, 10, 11). PROPOSAL NO. 686, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a traffic signal at 79th Street and Payne Road (District 1). PROPOSAL NO. 687, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1). PROPOSAL NO. 688, 1995. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10). PROPOSAL NO. 689, 1995. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 26th Street and Boulevard Place (District 22). PROPOSAL NO. 690, 1995. The proposal, sponsored by Councillor Brents, authorizes a stop sign at Talbott Street and Michigan Street (District 16). PROPOSAL NO. 691, 1995. The proposal, sponsored by Councillor Beadling, authorizes a multi-way stop at Crescent Court and LaHabra Lane (District 5). PROPOSAL NO. 692, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6). PROPOSAL NO. 693, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Riverview Drive and 61st Street (District 7). PROPOSAL NO. 694, 1995. The proposal, sponsored by Councillor Borst, authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25). PROPOSAL NO. 695, 1995. The proposal, sponsored by Councillor Brents, authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16). PROPOSAL NO. 697, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1). By unanimous votes, the Committee reported Proposal Nos. 327, 532, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, and 697, 1995 to the Council with the recommendation that they do pass. By unanimous votes, the Committee reported Proposal No. 595 and 600, 1995 to the Council with the recommendation that they do pass as amended. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 327, 532, 595, 600, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, and 697, 1995 were adopted on the following roll call vote; viz:

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

Proposal No. 327, 1995 was retitled GENERAL ORDINANCE NO. 187, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 187, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby, amended by the deletion of the following, to wit:

*from 7:00 a.m. to 9:00 a.m.,
Delaware Street, on the west side,
from 28th Street to 30th Street*

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

Proposal No. 532, 1995 was retitled GENERAL ORDINANCE NO. 188, 1995, and reads as follows:

CITY COUNTY GENERAL ORDINANCE NO. 188, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Chapter 28 to authorize the Department of Capital Asset Management to permit Ogden Martin Systems of Indianapolis, Inc. to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue.

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 is hereby amended to add a new section, to read as follows:

Sec. 28-227

Notwithstanding the provisions of Sec. 28-194 or 28-227 the department of capital asset management may permit Ogden Martin Systems of Indianapolis, Inc. to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue.

SECTION 2. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Proposal No. 595, 1995 was retitled GENERAL ORDINANCE NO. 189, 1995, and reads as follows:

CITY-COUNCIL GENERAL ORDINANCE NO. 189, 1995
Proposal No. 595, 1995

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY-COUNTY GENERAL ORDINANCE NO. 189, 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>
22, Pg. 12	Sunningdale Blvd, Gradison Cir	Sunningdale Blvd	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>
22, Pg. 6	Sunningdale Blvd, Country Club Rd	Country Club Rd	Stop
22, Pg. 6	Brookhill Ct, Manita Dr	Brookhill Ct	Stop
22, Pg. 6	Cressmoor Ct, Manita Dr	Cressmoor Ct	Stop
22, Pg. 6	Cressmoor Ct, Sunningdale Blvd	None	All Way Stop
22, Pg. 12	Sunningdale Ct, Sunningdale Blvd	None	All Way Stop
22, Pg. 10	Maurice Dr, Sunningdale Blvd	Sunningdale Blvd	Stop

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

Proposal No. 600, 1995 was retitled GENERAL ORDINANCE NO. 190, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 190, 1995

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY-COUNTY GENERAL ORDINANCE NO. 190, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

35 MPH
Keystone Way,
from I-70 to 24th Street

35 MPH
Keystone Avenue,
from 24th Street to Fall Creek Parkway N. Drive

35 MPH
Keystone Avenue,
from 56th Street to Broad Ripple Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

October 30, 1995

35 MPH
Keystone Avenue,
from I-70 to 71st Street

40 MPH
Keystone Avenue
from 71st Street to 80th Street

45 MPH
Keystone Avenue,
from 80th Street to I-465

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

Proposal No. 686, 1995 was retitled GENERAL ORDINANCE NO. 191, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 191, 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>
2, Pg. 5	79th St, Payne Rd	79th St	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>
2, Pg. 5	79th St, Payne Rd	None	Signal

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

Proposal No. 687, 1995 was retitled GENERAL ORDINANCE NO. 192, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 192, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
I0, Pg. 5	Cooper Pointe Cir, Cooperstone Ct	Cooper Pointe Cir	Yield
I0, Pg. 5	Cooper Pointe Cir, Cooper Pointe Dr	Cooper Pointe Dr	Stop
I0, Pg. 5	Cooper Pointe Cir, Lendsmith Cir	Cooper Pointe Cir	Yield
I0, Pg. 5	Cooper Pointe Dr, 62nd St	62nd St	Stop

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

Proposal No. 688, 1995 was retitled GENERAL ORDINANCE NO. 193, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 193, 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 I. 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>
26, Pg. 7	Olney St, Brookside Pkwy NDR	Olney St	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>
26, Pg. 7	Olney St, Brookside Pkwy NDR	None	All Way Stop

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

Proposal No. 689, 1995 was retitled GENERAL ORDINANCE NO. 194, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 194, 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:

October 30, 1995

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 6	26th St, Boulevard Place	None	All Way Stop

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

Proposal No. 690, 1995 was retitled GENERAL ORDINANCE NO. 195, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 195, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 35	Talbott St, Michigan St	Michigan St	Stop

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

Proposal No. 691, 1995 was retitled GENERAL ORDINANCE NO. 196, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 196, 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, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 3	Crescent Ct LaHabra Ln	LaHabra Ln	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>
7, Pg. 3	Crescent Ct LaHabra Ln	None	All Stop

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

Proposal No. 692, 1995 was retitled GENERAL ORDINANCE NO. 197, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 197, 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. 3	Buckingham Dr Cornelius Av	Buckingham Dr	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. 3	Buckingham Dr Cornelius Av	None	Stop

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

Proposal No. 693, 1995 was retitled GENERAL ORDINANCE NO. 198, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 198, 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>
11, Pg. 23	Riverview Dr 61st St	Riverview Dr	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>
II, Pg. 23	Riverview Dr 61st St	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 694, 1995 was retitled GENERAL ORDINANCE NO. 199, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 199, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

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. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Thompson Road, both sides,
from State Road 37 to a point 2,000 feet west of State Road 37

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 695, 1995 was retitled GENERAL ORDINANCE NO. 200, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 200, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

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

SECTION I. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Meridian Street, on the west side,
from Merrill Street to a point 100 feet south of Merrill Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 697, 1995 was retitled GENERAL ORDINANCE NO. 201, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 201, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

35 MPH
Cooper Road,
from Eighty-eighth Street to Ninety-six Street

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

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

PROPOSAL NO. 672, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 672, 1995 on October 25, 1995. The proposal is an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as an intermediary agent, to expand the Indianapolis Police Athletic League's community policing youth activities financed by a state grant. 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 10:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 672, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 672, 1995 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1995, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1995

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Thirty Thousand Dollars (\$30,000) 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 Department of Public Safety, Police Division to receive and relinquish a grant from the Indiana Criminal Justice Institute for the Indianapolis Police Athletic League.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
3. Other Services and Charges	<u>30,000</u>
TOTAL INCREASE	30,000

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

Unappropriated and Unencumbered	<u>POLICE SERVICE DISTRICT FUND</u>
Police Service District Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

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 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.

OLD BUSINESS

Councillor West pointed out that Proposal No. 583, 1995 is listed under Pending Proposals. At the last Council meeting Proposal No. 583 was postponed until October 30, 1995; therefore, action should be taken on this proposal. Councillor McClamroch moved, seconded by Councillor Borst, to table Proposal No. 583, 1995. This motion passed by unanimous voice vote.

Councillor Rhodes moved to suspend the Council Rules to hear Proposal No. 353, 1995 at this time. He said that he would like this proposal to be heard prior to the General Elections. Councillor Borst seconded the motion, and it passed by unanimous voice vote.

PROPOSAL NO. 353, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 353, 1995 on October 23, 1995. The proposal amends the salaries of the mayor and the councillors after January 1, 1996. By a 3-3 vote, the motion to strike failed in Committee.

Councillor Short voiced his opposition to this proposal since this would be a 41% pay raise. Councillor Borst moved, seconded by Councillor Short, to strike Proposal No. 353, 1995. Proposal No. 353, 1995 was stricken by the following roll call vote; viz:

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

Councillor Borst asked for consent to hear Proposal No. 348, 1995 at this time. Consent was given.

PROPOSAL NO. 348, 1995. The proposal concerns annual budgets. Councillor Borst said that since the 1996 budgets have already been approved, he moved to strike Proposal No. 348, 1995. Councillor Schneider seconded the motion. Proposal No. 348, 1995 was stricken by unanimous voice vote.

NEW BUSINESS

Councillor Gray asked that the Councillors remember firefighter John Rikken.

ANNOUNCEMENTS AND ADJOURNMENT

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

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillor Franklin in memory of Mrs. Margaret Young Brooks.

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. Margaret Young Brooks. 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 her family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:20 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-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 30th day of October, 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)