

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

**REGULAR MEETINGS
MONDAY, APRIL 8, 1996**

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 7:01 p.m. on Monday, April 8, 1996, with Councillor SerVaas presiding.

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

Councillor Schneider thanked the Council for their gifts and support during his recovery from surgery and stated that it was good to be back.

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:

28 PRESENT: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
1 ABSENT: Black

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

OFFICIAL COMMUNICATIONS

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

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

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, April 8, 1996, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

March 19, 1996

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 COURT AND COMMERCIAL on Thursday, March 21, 1996, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 161, 165, 206, 207, 211, 212, 213, and 214, 1996, said hearing to be held on Monday, April 8, 1996, at 7:00 p.m. in the City-County Building.

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

March 22, 1996

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. 14, 1996: an appropriation of \$175,000 to finance the upgrade of technology for the newly consolidated Adult Probation Division of the Marion County Superior Court financed by revenues in the Supplemental Adult Probation User Fees Fund

FISCAL ORDINANCE NO. 15, 1996: an appropriation of \$12,500 for the Prosecuting Attorney to pay Marion County's portion of a victim/witness advocate to work on Regional Gang Interdiction in conjunction with Johnson County financed by a state grant

FISCAL ORDINANCE NO. 16, 1996: an appropriation of \$2,381,964 to allocate the 1996 budget for the Office of Youth and Family Services to other City departments

FISCAL ORDINANCE NO. 17, 1996: an appropriation of \$100,000 for the Office of the Controller to make renovations and improvements to the City Market financed by a transfer within the agency's Consolidated County Fund

GENERAL ORDINANCE NO. 36, 1996: adds Consortium Foundation, Inc. and Redevelopment Revitalization of the Southside Community to the list of eligible neighborhood development corporations for sales and grants of real property

GENERAL ORDINANCE NO. 37, 1996: amends the Revised Code dealing with the Office of Youth and Family Services

GENERAL ORDINANCE NO. 38, 1996: authorizes the Sheriff's Department to collect a copayment from incarcerated persons for the costs of their medical care, \$6 per doctor visit and \$3 per prescription

GENERAL ORDINANCE NO. 39, 1996: authorizes a traffic signal at River Crossing Boulevard and River Road (District 3)

GENERAL ORDINANCE NO. 40, 1996: authorizes a traffic signal at Sargent Road and 82nd Street (District 5)

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GENERAL ORDINANCE NO. 41, 1996: authorizes multi-way stops for the intersections in Admirals Sound subdivision (District 5)

GENERAL ORDINANCE NO. 42, 1996: authorizes a multi-way stop at 86th Street and Bash Street (District 4)

GENERAL ORDINANCE NO. 43, 1996: authorizes a multi-way stop at Mars Hill Street and Werges Street (District 19)

GENERAL ORDINANCE NO. 44, 1996: authorizes a multi-way stop at 19th Street and Wallace Avenue (District 15)

GENERAL ORDINANCE NO. 45, 1996: authorizes a multi-way stop at Robton Street and Rockville Avenue (District 17)

GENERAL ORDINANCE NO. 46, 1996: authorizes a multi-way stop at Deloss Street and Leota Street (District 21)

GENERAL ORDINANCE NO. 47, 1996: authorizes a multi-way stop at Carrollton Avenue and 48th Street (District 6)

GENERAL ORDINANCE NO. 48, 1996: authorizes parking restrictions on the westside of Hillside Avenue from 25th Street to Baltimore Avenue (District 10)

GENERAL ORDINANCE NO. 49, 1996: authorizes parking restrictions on Alabama Street, both sides, south of St. Clair Street (District 22)

SPECIAL RESOLUTION NO. 18, 1996: recognizes IPTC retirees

SPECIAL RESOLUTION NO. 19, 1996: recognizes the 1995-96 Decatur Central Boys basketball team

SPECIAL RESOLUTION NO. 20, 1996: a special resolution for U.S., LLC to proceed with the construction and equipping of a 44,460 square foot building located on 7 acres of land at the northwest corner of Belmont and Turner for lease to EHOB, Inc. for use in its orthopedic, prosthetic, and surgical appliances and supplies manufacturing business (District 17)

SPECIAL RESOLUTION NO. 21, 1996: approves a public purpose grant to Fire Fighters Museum/Survive Alive in the amount of \$10,000 for the purpose of a Fallen Firefighters Memorial

GENERAL RESOLUTION NO. 2, 1996: approves the issuance of Promissory Notes in connection with a HUD Section 108 guaranteed loan in the amount of \$3,200,000 to finance the development of the 10th Street Revitalization Project and the New East Industrial Center by Eastwide Community Investments

SPECIAL ORDINANCE NO. 3, 1996: authorizes the issuance of variable/fixed rate multi-family housing revenue bonds in the principal amount not to exceed \$8,700,000 for Crossing Partners, L.P. at 4000 North Franklin Road (District 12)

SPECIAL ORDINANCE NO. 4, 1996: authorizes the issuance of economic development bonds in an amount not to exceed \$2,050,000 for Double D Press, Inc. at 5739 Professional Circle (District 19)

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 March 18, 1996. There being no additions or corrections, the minutes were approved as distributed.

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

The President stated that Proposal Nos. 133, 134, 184, 188, 231, and 232, 1996 were all board appointments, had all passed through committee with unanimous votes, and would be voted on together.

PROPOSAL NO. 133, 1996. The proposal, sponsored by Councillor McClamroch, reappoints Elliott Nelson to the Board of Public Safety. PROPOSAL NO. 134, 1996. The proposal, sponsored by Councillor McClamroch, reappoints David W. Hoppock to the Air Pollution Control Board. PROPOSAL NO. 184, 1996. The proposal, sponsored by Councillor McClamroch, appoints Anthony C. La Rosa to the Audit Committee. PROPOSAL NO. 188, 1996. The proposal, sponsored by Councillor McClamroch, appoints Linda Beadling to the Equal Opportunity Advisory Board. PROPOSAL NO. 231, 1996. The proposal, sponsored by Councillor McClamroch, appoints Margot L. Eccles to the Indianapolis Parks Foundation Board of Trustees. PROPOSAL NO. 232, 1996. The proposal, sponsored by Councillor McClamroch, reappoints Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board. Councillor McClamroch moved, seconded by Councillor Curry, for adoption. Proposal Nos. 133, 134, 184, 188, 231, and 232, 1996 were adopted by a unanimous voice vote.

Proposal No. 133, 1996 was retitled COUNCIL RESOLUTION NO. 34, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 1996

A COUNCIL RESOLUTION reappointing Elliott Nelson to the Board of Public Safety.

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

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

Elliott Nelson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 134, 1996 was retitled COUNCIL RESOLUTION NO. 35, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 1996

A COUNCIL RESOLUTION reappointing David W. Hoppock to the Air Pollution Control Board.

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

SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:

David W. Hoppock

SECTION 2. The appointment made by this resolution is for a term ending June 3, 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. 184, 1996 was retitled COUNCIL RESOLUTION NO. 36, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1996

A COUNCIL RESOLUTION appointing Anthony C. La Rosa to the Audit Committee.

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

SECTION I. As a member of the Audit Committee, the Council appoints:

Anthony C. La Rosa

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 188, 1996 was retitled COUNCIL RESOLUTION NO. 37, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1996

A COUNCIL RESOLUTION appoints Linda Beadling to the Equal Opportunity Advisory Board.

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

SECTION I. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Linda Beadling

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 her respective successor is appointed and has qualified.

Proposal No. 231, 1996 was retitled COUNCIL RESOLUTION NO. 38, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1996

A COUNCIL RESOLUTION appointing Margot L. Eccles to the Indianapolis Parks Foundation Board of Trustees.

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

SECTION I. As a member of the Indianapolis Parks Foundation Board of Trustees, the Council appoints:

Margot L. Eccles

SECTION 2. The appointment made by this resolution is for a term ending April 1, 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. 232, 1996 was retitled COUNCIL RESOLUTION NO. 39, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1996

A COUNCIL RESOLUTION appointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board.

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

SECTION 1. As a member of the Indianapolis-Marion County Forensic Board, the Council appoints:

Dennis Nicholas, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSAL

PROPOSAL NO. 247, 1996. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$20,505 for the Lawrence Township Assessor to pay for buy-outs of employees who have resigned and/or retired from the Lawrence Township Assessor's office in 1996 financed from the County General Fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 248, 1996. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves an extension of the expiration dates of the cable franchises of American Cablevision and Comcast Cablevision until July 1, 1996"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 249, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$133,689 for the Department of Metropolitan Development, Planning Division, to pay for transportation planning financed by revenues from the US Department of Transportation and a local match from the Transportation General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 250, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$100,000 for the Department of Metropolitan Development, Planning Division, to pay for infrastructure improvements financed by revenues from a Build Indiana Grant"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 251, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$1,300,000 for the Department of Metropolitan Development, Division of Economic and Housing Development and Division of Permits, to pay for various projects financed from the Consolidated County Fund and Redevelopment General Fund balances"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 252, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the disbursement of a portion of

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the Community Development Block Grant"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 253, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which reorganizes the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 254, 1996. Introduced by Councillors O'Dell and Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Mark Bowell to the Indianapolis-Marion County Public Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 255, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes the County Child Advocacy Fund as a nonreverting fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 256, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$259,779 for the County Sheriff to pay for operational equipment, food, and supplies needed for the sub-basement and 5th floor of the East wing of the City-County Building financed by revenues from the County General Fund, Jail Reserve Account"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 257, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$55,501 for the County Sheriff to pay for security and identification equipment needed to begin the screening of all personnel entering the West wing of the City-County Building financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 258, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$83,341 for the Marion County Public Defender, Prosecuting Attorney, Marion County Superior Court, and the County Auditor to allocate increased funding for the Expedited Trial Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 259, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$82,128 for the Marion County Public Defender Agency to fund a study by American University pursuant to Fiscal Ordinance No. 112, 1995 financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 260, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$48,462 for the Marion County Public Defender Agency to pay for the consolidation of five contract positions into two full-time positions effective May 1, 1996 financed by transfers within the agency's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 261, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$58,660 for the Marion County Public Defender Agency to pay for sentencing support services for indigent, non-violent, and drug-addicted defendants financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 262, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$369,162 for the Community Corrections Agency to pay for security of inmates on the 5th floor of the City-County Building financed by revenues in the County General Fund, Jail Reserve Account"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 263, 1996. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes execution of Amendment No. 4 to the Interlocal Agreement between the City of Indianapolis and the City of Beech Grove for sewage treatment"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 264, 1996. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code concerning towing and storage charges for abandoned vehicles"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 265, 1996. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$100,000 for the Department of Public Works, Administration, to pay for Brownfields Redevelopment Pilot Program financed by an EPA federal grant"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 266, 1996. Introduced by Councillors Hinkle and McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Rules of the Council with respect to public hearings on fiscal ordinances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 267, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a preliminary determination for the County to enter into a lease with the Building Authority in connection with the financing of the proposed supplemental jail facility at 730 East Washington Street and 752 East Market Street"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 268, 1996. Introduced by Councillors Curry, Schneider, Dowden, and Bradford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the 96th Street/Castleton economic development area"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 269, 1996. Introduced by Councillors Curry, Schneider, Dowden, and Bradford. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves the issuance of bonds in the amount of \$18,000,000 for the 96th Street/Castleton

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economic development area and the appropriation of proceeds on the bonds”; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 270, 1996. WITHDRAWN.

PROPOSAL NO. 271, 1996. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes multi-way stops at Kimlough Avenue and 80th Street, and at Kimlough Avenue and Forest Boulevard (District 2)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 272, 1996. Introduced by Councillor Black. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Crittenden Avenue and 51st Street (District 6)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 273, 1996. Introduced by Councillor Black. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Norwaldo Avenue and 49th Street (District 6)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 274, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Eleanor Street and Jackson Street (District 18)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 275, 1996. Introduced by Councillor Smith. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a speed limit of 25 mph on Candy Spots Drive from Riva Ridge Drive to Thompson Road (District 23)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 276, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a weight limit restriction on Johnson Road from Fall Creek Road to 75th Street (District 4)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 300, 1996. Introduced by Councillors Gilmer and Coughenour. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which amends Regulation 96-01 of the Board of Capital Asset Management and staying the effective date of such regulations until June 13, 1996”; and the President referred it to the Whole Committee.

PROPOSAL NO. 301, 1996. Introduced by Councillors Coughenour and Gilmer. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which amends Regulation 96-02 of the Board of Capital Asset Management and staying the effective date of such regulations until June 13, 1996”; and the President referred it to the Whole Committee.

Councillor Hinkle moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 251, 1996, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on April 29, 1996. He explained that the time frame of the project

required that action be taken prior to May 1, 1996. Councillor Gilmer seconded and the motion passed by a unanimous voice vote.

Councillor Dowden moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 259, 1996, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on April 29, 1996. He explained that a study was initiated during the budget process and that the funding was needed in a timely fashion in order to accomplish this study. Councillor Hinkle seconded and the motion passed by a unanimous voice vote.

Councillor Curry moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 269, 1996, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on April 29, 1996. He explained that the time frame of the project required that action be taken prior to the May 20th Council meeting. Councillor Hinkle seconded and the motion passed by a unanimous voice vote.

Councillor Borst asked if Proposal No. 269, 1996 was intended to go to the Rules and Public Policy Committee instead of to the Economic Development Committee. The President explained that this particular project involved a policy matter affecting several neighborhoods on a tax issue, and referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 277-288, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 3, 1996."

PROPOSAL NOS. 289-299, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 3, 1996."

Councillor Borst asked that Proposal No. 289, 1996 be held for public hearing on April 29, 1996 at 7:00 p.m. Consent was given. Proposal No. 289, 1996 is identified as follows:

96-Z-47 (96-DP-3) PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.
1721 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.
WILLIAM BLANKENSHIP, by William F. LeMond, requests a REZONING of 40.860 acres, being in the D-A (FF)(W-1)(W-5) Districts, to the D-P (FF)(W-1)(W-5) classification to provide for a planned unit development consisting of single-family residential development at a density of approximately 3.125 units per acre.

Councillor Coughenour stated that she wanted a rezoning ordinance held for public hearing but needed time to find the proposal number. The President stated that the Council would move on to the next agenda item and return to the rezonings at a later time.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 12, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 12, 1996 on several occasions and had amended the appropriation from \$82,000 to \$14,087. The proposal is an appropriation of \$14,087 for the

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Marion County Justice Agency to fund the I-Challenge office budget financed by revenues from the Drug Free Community Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 7:25 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 12, 1996, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Dowden, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford

1 NAY: Williams

3 NOT VOTING: Coughenour, Franklin, Gilmer

1 ABSENT: Black

Proposal No. 12, 1996, as amended, was retitled FISCAL ORDINANCE NO. 19, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Fourteen Thousand Eighty-seven Dollars (\$14,087) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and I Challenge and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (bb) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency funding the 1996 office budget for I Challenge.

SECTION 2. The sum of Fourteen Thousand Eighty-seven Dollars (\$14,087) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	14,087
TOTAL INCREASE	14,087

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

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	14,087
TOTAL REDUCTION	14,087

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

PROPOSAL NO. 60, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 60, 1996 on March 20, 1996. The proposal is an appropriation of \$232,688 for Community Corrections to continue the Jail Work Program

financed by revenues in the County General Fund, Jail Reserve Account. 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 7:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 60, 1996 was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Talley, Tilford, Williams

0 NAYS:

2 NOT VOTING: Moores, Short

1 ABSENT: Black

Proposal No. 60, 1996 was retitled FISCAL ORDINANCE NO. 20, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Hundred Thirty-two Thousand Six Hundred Eighty-eight Dollars (\$232,688) in the County General Fund Jail Reserve Account for purposes of the Community Corrections Agency 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(z) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for funding for a Jail Work Program which will provide a means to supervise jail trustees in the community.

SECTION 2. The sum of Two Hundred Thirty-two Thousand Six Hundred Eighty-eight Dollars (\$232,688) 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</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	232,688
TOTAL INCREASE	232,688

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	232,688
TOTAL REDUCTION	232,688

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

The President stated that he had received a letter from the Sheriff commending the Council and the Parks Department for the Greenways Rehabilitation Program under the direction of Ray Irvin. Councillor Dowden explained the program and agreed that it was a good program.

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PROPOSAL NO. 61, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 61, 1996 on March 20, 1996. The proposal is an appropriation of \$84,375 for Community Corrections to pay for five additional Annex officers to facilitate receipt of additional offenders financed by revenues in the County General Fund, Jail Reserve Account. 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 7:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 61, 1996 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

0 NAYS:

2 NOT VOTING: *Brents, Moores*

1 ABSENT: *Black*

Proposal No. 61, 1996 was retitled FISCAL ORDINANCE NO. 21, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Eighty-four Thousand Three Hundred Seventy-five Dollars (\$84,375) in the County General Fund Jail Reserve Account for purposes of the Community Corrections Agency 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(z) of the City-County Annual Budget for 1996 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 Annex upon receipt of additional offenders.

SECTION 2. The sum of Eighty-Four Thousand Three Hundred Seventy-Five Dollars (\$84,375) 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</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	84,375
TOTAL INCREASE	84,375

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	84,375
TOTAL REDUCTION	84,375

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

PROPOSAL NO. 161, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 161, 1996 on February 27, 1996. The proposal is an appropriation of \$64,500 for the County Recorder to purchase an Optical Platter Jukebox Drive to support increased database volume financed by revenues in the Recorder's Perpetuation Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Golc asked about the new technology of optical scanning and if the operation could be viewed. Councillor Hinkle answered that anyone was free to view the operation and could do so by contacting County Recorder Joan Romeril or Mike Koerner in the Recorder's Office.

The President called for public testimony at 7:32 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 161, 1996 was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*
0 NAYS:
1 NOT VOTING: *Moores*
1 ABSENT: *Black*

Proposal No. 161, 1996 was retitled FISCAL ORDINANCE NO. 22, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Sixty-four Thousand Five Hundred Dollars (\$64,500) in the Recorder's Perpetuation Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the Recorder's Perpetuation 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(h) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Recorder for purchase of an Optical Platter Jukebox Drive due to increased database volume.

SECTION 2. The sum of Sixty-four Thousand Five Hundred Dollars (\$64,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY RECORDER</u>	<u>RECORDER'S PERPETUATION FUND</u>
2. Supplies	2,000
4. Capital Outlay	<u>62,500</u>
TOTAL INCREASE	64,500

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

	<u>RECORDER'S PERPETUATION FUND</u>
Unappropriated and Unencumbered Recorder's Perpetuation Fund	<u>64,500</u>
TOTAL REDUCTION	64,500

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

PROPOSAL NO. 165, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 165, 1996 on February 28, 1996. The proposal is an appropriation of \$2,000,000 for the Department of Public Safety, Fire Division, to construct a new fire station financed by revenues in the City Cumulative Capital Improvement Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Short asked where the two existing fire stations to be consolidated were located. Fire Chief Keith Smith stated that Fire Station 21 is in Brightwood on Glenn Drive and Fire Station 10 is presently located at 34th and Sherman.

Councillor Gilmer asked if neighborhood meetings had been held to make these communities aware of the loss of their fire stations. Chief Smith responded that the Indianapolis Fire Department had met with three neighborhood groups.

Councillor Dowden explained that response time and service level would not be affected by the consolidation of these two stations.

Councillor Coonrod stated that he was against Proposal No. 165, 1996 due to the fact that the fund from which this appropriation comes is a fund that receives two-thirds of its property tax revenue from outside the fire service district. He stated that the majority of taxpayers paying into this fund were serviced by township departments rather than the Indianapolis Fire Department (IFD).

Councillor Short stated that Unigov had set up this type of system, instead of a system with special districts representing only those served in that district. Councillor Coonrod agreed with Councillor Short's advocacy of the appropriateness of having special districts.

Councillor Gilmer asked if the issue of these funds being used inappropriately came up in the committee meeting. Councillor Dowden responded that the distribution of that fund's monies had already been agreed upon by the Council, and that the issue before the Committee was to decide whether it was a good investment of capital funds to build a fire station, not how the funds were distributed.

Councillor Golc asked Chief Smith about the breakdown of the financial figures. Chief Smith called on Emily Duncan, Chief Financial Officer for Public Safety, for the figures. Ms. Duncan explained that the entire \$2 million was for construction. The land purchase and design phase has already been completed.

Councillor Franklin asked Chief Smith if these improvements were a part of the original plan that was discussed in Committee during the budget process. Chief Smith responded that this consolidation was a part of the same plan that was discussed at that time and was supposed to have been completed last year, but was delayed because of land acquisition issues.

The President called for public testimony at 7:40 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 165, 1996 was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
2 NAYS: Bradford, Coonrod
0 NOT VOTING:
1 ABSENT: Black

Proposal No. 165, 1996 was retitled FISCAL ORDINANCE NO. 23, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Million Dollars (\$2,000,000) in the City Cumulative Capital Improvement Fund for purposes of the Department of Public Safety, Fire Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Improvement Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I.0I (n) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to construct a new fire station for the consolidation of fire stations I0 and 2I.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>FIRE DIVISION</u>	<u>CITY CUMULATIVE CAPITAL</u> <u>IMPROVEMENT FUND</u>
3. Other Services and Charges	77,000
4. Capital Outlays	<u>1,923,000</u>
TOTAL INCREASE	2,000,000

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

	<u>CITY CUMULATIVE CAPITAL</u> <u>IMPROVEMENT FUND</u>
Unappropriated and Unencumbered City Cumulative Capital Improvement Fund	<u>2,000,000</u>
TOTAL REDUCTION	2,000,000

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

PROPOSAL NO. 166, 1996. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 166, 1996 on March 28, 1996. The proposal is an appropriation of \$13,900,000 for the Department of Capital Asset Management to pay for the 1996 Capital Improvement Program financed by available fund balances in the Sanitation General Fund, Transportation General Fund, City Cumulative Capital Development Fund, Parking Meter Fund, and Solid Waste Disposal Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

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Councillor Golc asked if the entire amount had been appropriated for projects for 1996 and beyond in the Capital Improvements Project. Councillor Gilmer stated that these projects were Summer/Fall projects. Greg Henneke, Director of the Department of Capital Asset Management, stated that most of the drainage and sanitary projects had already been established, but the resurfacing projects could still use input from Councillors.

The President called for public testimony at 7:45 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 166, 1996, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 166, 1996, as amended, was retitled FISCAL ORDINANCE NO. 24, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Six Million Eight Hundred Thousand Dollars (\$6,800,000) in the Sanitation General Fund, an additional Four Million Five Hundred Dollars (\$4,500,000) in the Transportation General Fund an additional One Million Dollars (1,000,000) in the City Cumulative Capital Development Fund, an additional Seven Hundred Thousand Dollars (\$700,000) in the Parking Meter Fund, and an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Solid Waste Disposal Fund, and an additional Six Hundred Fifty Thousand Dollars (\$650,000) in the Flood General Fund for purposes of the Department of Capital Asset Management, Asset Management Division and reducing the unappropriated and unencumbered balances in the Sanitation General, Transportation General, and Flood Control General Funds.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (m) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to expand the 1996 Capital Improvement Budget

SECTION 2. The sum of Thirteen Million Nine Hundred Thousand Dollars (\$13,900,000) 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:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT
ASSET MANAGEMENT DIVISION

3. Other Services and Charges
4. Capital Outlays
TOTAL INCREASE

SANITATION GENERAL FUND

500,000
6,300,000
6,800,000

ASSET MANAGEMENT DIVISION

3. Other Services and Charges
4. Capital Outlays
TOTAL INCREASE

TRANSPORTATION GENERAL FUND

200,000
4,300,000
4,500,000

<u>ASSET MANAGEMENT DIVISION</u>	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	100,000
4. Capital Outlays	900,000
TOTAL INCREASE	1,000,000

<u>ASSET MANAGEMENT DIVISION</u>	<u>PARKING METER FUND</u>
4. Capital Outlays	700,000
TOTAL INCREASE	700,000

<u>ASSET MANAGEMENT DIVISION</u>	<u>SOLID WASTE DISPOSAL FUND</u>
4. Capital Outlays	250,000
TOTAL INCREASE	250,000

<u>ASSET MANAGEMENT DIVISION</u>	<u>FLOOD GENERAL FUND</u>
3. Other Services and Charges	650,000
TOTAL INCREASE	650,000

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered Sanitation General Fund	6,800,000
TOTAL REDUCTION	6,800,000

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered Transportation General Fund	4,500,000
TOTAL REDUCTION	4,500,000

	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered City Cumulative Capital Development Fund	1,000,000
TOTAL REDUCTION	1,000,000

	<u>PARKING METER FUND</u>
Unappropriated and Unencumbered Parking Meter Fund	700,000
TOTAL REDUCTION	700,000

	<u>SOLID WASTE DISPOSAL FUND</u>
Unappropriated and Unencumbered Solid Waste Disposal Fund	250,000
TOTAL REDUCTION	250,000

	<u>FLOOD GENERAL FUND</u>
Unappropriated and Unencumbered Flood General Fund	650,000
TOTAL REDUCTION	650,000

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

PROPOSAL NO. 206, 1996. The proposal approves the issuance of Promissory Notes in connection with a HUD Section 108 guaranteed loan in the amount of \$7,600,000 for the purpose of assisting the development of industrial parks in Center Township, the redevelopment of property near the intersection of Martin Luther King and 16th Street, and other projects to be determined (General Resolution). Councillor Hinkle moved, seconded by Councillor Moriarty Adams, to postpone Proposal No. 206, 1996 until April 29, 1996. Proposal No. 206, 1996 was postponed by a unanimous voice vote.

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PROPOSAL NO. 207, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 207, 1996 on March 25, 1996. The proposal is an appropriation of \$375,000 for the Department of Metropolitan Development, Planning Division, to establish an ozone public awareness and education program financed by a federal grant.

Councillor Hinkle defined the ground-level ozone as "dirty air" and stated that the old adage "an ounce of prevention is worth a pound of cure" applied in regard to this proposal. He explained the attainment status that the City now held and what the consequences would be should the City fall back into non-attainment status. He detailed the voluntary public education program included in this proposal. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Moores, for adoption.

The President called for public testimony at 7:50 p.m.

Marty Dezelan, Indianapolis Chamber of Commerce, stated that the Chamber was in support of clean air programs and therefore approved of Proposal No. 207, 1996. He stated that non-attainment status would place a burden on the general public since the business community had experienced all the regulations that could be placed on them. He referred to vehicle inspection and maintenance (start-up costs estimated at \$1.5 million), vapor recovery (gas station pumps being regulated with controls estimated at about \$6.3 million per gas station), reformulated gasoline (approximately 2.5 cents a gallon more), and more control technology for some businesses (estimated at \$2.8 million). He mentioned businesses which had come together to support this awareness program through "in-kind" contributions: PSI Energy, IPL, Citizens Gas, AAA Hoosier Motor Club, Thompson Consumer Electronics, Allison Gas Turbine, and Eli Lilly & Company.

Councillor Bradford expressed his opposition to Proposal No. 207, 1996. He referred to a memo which had been passed out to each Councillor from Clarke Kahlo, a former City employee who worked with air quality. He explained that Mr. Kahlo had been contacted by Mr. Dezelan to solicit his support of the proposal, and that his ultimate response held several reservations against the proposal. Councillor Bradford stated that he had requested a continuance of this proposal at the Committee hearing due to his being out of town. As that request was not granted, he wished to present information at this time. He quoted Washington State former Governor Dixie Lee Ray regarding non-attainment. He gave statistics on producers of ground-level ozone and stated that more than two-thirds of ozone pollutants were produced by natural emissions of plants, not humans.

Councillor Bradford voiced his opposition to an educational program that would go into the schools and scare kindergartners about ozone levels and health hazards and use an expensive logo or cartoon character to do so. Citizens in his district would not want to mow their lawns after dark or give up charcoal grilling and pay hard-earned tax dollars to do so. He added that there was no guarantee that this program would prevent an exceedence of the ozone standard, and therefore, spending \$375,000 of taxpayers money on something that did not produce results was a waste of money.

Councillor Moores stated that whether or not the ozone problem existed, the government and the EPA (Environmental Protection Agency) mandated that cities comply with their standards that

had been set forth. A public education program was a small price to pay to try and prevent strict enforcement and expensive costs of standards that would be imposed if more exceedences occurred. She said that if the public was made aware of the problem and the City still reached non-attainment, at least the public could not say the Council did not try to prevent it.

Councillor Smith stated that both of the exceedences happened at the same monitoring station. He expressed his feelings that this measure was punishment to all the taxpayers for a problem which may have been caused by an individual or small number of citizens. Money should be spent on investigating where the pollutants are coming from instead of just explaining them as being carried on the wind. Councillor Smith added that during the period of non-attainment, the City experienced its greatest growth and questioned how the City achieved attainment without investing this kind of money before. He expressed his concern that there was no input from small business owners, only large corporations. He feels an education program could be done "in-house" with a lot less money instead of hiring an advertising firm at great costs.

Councillor Schneider referred to his letter written to the Metropolitan Development Committee concerning Proposal No. 207, 1996. He stated that since there is no assurance that this program will work, it seemed wasteful to spend so much money on this project. He offered an amendment to the proposal where the money spent would be decreased to \$25,000 by asking public officials to make public service announcements (PSAs) and soliciting other "in-kind" contributions from businesses in order to educate the public and accomplish the same goal. Councillor Schneider moved, seconded by Councillor Smith, to amend Proposal No. 207, 1996, by decreasing the appropriation by \$350,000.

Councillor Williams stated that her experience with PSAs was that they were ineffective and were not given quality time. She voiced her opposition to the amendment, and added that the proposal was a voluntary program for which a grant had been applied and received, and should be accepted or rejected as is.

Councillor Schneider asked if Councillor Williams did not think that the TV stations and radio stations would donate quality time for a worthwhile cause. Councillor Williams responded that she did not think they would. Councillor Schneider said that as Mr. Dezelan pointed out earlier, businesses were willing to contribute to a worthwhile cause and he feels that the public service people would do the same.

Councillor Hinkle stated that even though the City experienced growth during their non-attainment period, any new development during that time required an existing development's reduction in pollutant emissions. This time was a "give-and-take" among industries and a constant challenge to keep non-attainment low in order to ultimately reach attainment.

Councillor Franklin stated that air quality is a concern and that dealings with the EPA, although infrequent, led to stiff penalties. Fines and penalties that would be imposed by the EPA would be great. He believes that the City should take advantage of the contributions from several large businesses that Mr. Dezelan referred to before the EPA dictated costly mandates. He said that the cost of this program, as in the original proposal, would average out to approximately 50 cents per person and did not feel that was a great price to pay.

The President said that the City was faced with an evident position of non-compliance, and preventative measures might aid in maintaining compliance. Although there were variables and

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no assurances, he believes the program would have benefits during the high ozone time period in encouraging citizens and businesses to make some small changes in their daily habits. He stated that he did feel that non-attainment would affect the economic development of the City.

The President called for a vote on the motion to amend Proposal No. 207, 1996. Councillor Schneider's motion failed on the following roll call vote; viz:

10 YEAS: Borst, Bradford, Brents, Coonrod, Dowden, McClamroch, O'Dell, Schneider, Shambaugh, Smith

16 NAYS: Boyd, Cockrum, Curry, Franklin, Gilmer, Golc, Hinkle, Jones, Massie, Moores, Moriarty Adams, SerVaas, Short, Talley, Tilford, Williams

2 NOT VOTING: Coughenour, Gray

1 ABSENT: Black

Councillor Hinkle asked that Councillor Coughenour, as sponsor for the proposal, be allowed to make some closing comments. Councillor Coughenour stated that City businessmen and industries had paid millions of dollars to reach attainment. She added that educating the public as to what they could do to help the situation could only be viewed as a positive thing. She said that one gas-powered mower emitted as much pollutant as 800 cars, and a simple change of timing in mowing the lawn would not be too great a hardship to ask of the public.

The President called for a vote on the motion to adopt Proposal No. 207, 1996. Proposal No. 207, 1996 was adopted on the following roll call vote; viz:

19 YEAS: Borst, Boyd, Cockrum, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, Moores, Moriarty Adams, SerVaas, Short, Talley, Tilford, Williams

9 NAYS: Bradford, Brents, Coonrod, Dowden, McClamroch, O'Dell, Schneider, Shambaugh, Smith

1 ABSENT: Black

Proposal No. 207, 1996 was retitled FISCAL ORDINANCE NO. 25, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Three Hundred Seventy-five Thousand Dollars (\$375,000) in the Federal Grants Fund for purposes of the Department of Metropolitan Development, Planning Division and reducing the unappropriated and unencumbered balance in the 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 1.01 (k) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Planning Division, to establish an ozone public awareness and education program.

SECTION 2. The sum of Three Hundred Seventy-five Thousand Dollars (\$375,000) 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>FEDERAL GRANTS FUND</u>
<u>PLANNING DIVISION</u>	
1. Personal Services	35,000
2. Supplies	5,000
3. Other Services and Charges	<u>335,000</u>
TOTAL INCREASE	375,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>375,000</u>
TOTAL REDUCTION	375,000

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.

Councillor Dowden asked for consent to vote on Proposal Nos. 211 and 212, 1996 together. Consent was given.

PROPOSAL NO. 211, 1996. The proposal is an appropriation of \$207,200 for the Department of Public Safety, Police Division, to help fund the Weed and Seed Program financed by a federal grant. PROPOSAL NO. 212, 1996. The proposal is an appropriation of \$525,521 for the Department of Public Safety, Police Division, to help fund the Weed and Seed Program financed by a federal grant. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 211 and 212, 1996 on March 20, 1996. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 211 and 212, 1996 were adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, Shambaugh, Smith, Talley, Tilford, Williams*
0 NAYS:
3 NOT VOTING: *Moore, SerVaas, Short*
1 ABSENT: *Black*

Proposal No. 211, 1996 was retitled FISCAL ORDINANCE NO. 26, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Hundred Seven Thousand Two Hundred Dollars (\$207,200) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

April 8, 1996

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I.01 (n) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for the Weed and Seed Federal Program.

SECTION 2. The sum of Two Hundred Seven Thousand Two Hundred Dollars (\$207,200) 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>FEDERAL GRANTS FUND</u>
1. Personal Services	105,000
2. Supplies	4,000
3. Other Services and Charges	41,000
4. Capital Outlay	<u>57,200</u>
TOTAL INCREASE	207,200

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>207,200</u>
TOTAL REDUCTION	207,200

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.

Proposal No. 212, 1996 was retitled FISCAL ORDINANCE NO. 27, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Five Hundred Twenty-five Thousand Five Hundred Twenty-one Dollars (\$525,521) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the 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 I.01 (n) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for the Weed and Seed Federal Program.

SECTION 2. The sum of Five Hundred Twenty-five Thousand Five Hundred Twenty-one Dollars (\$525,521) 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:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	14,046
2. Supplies	0
3. Other Services and Charges	<u>511,475</u>
TOTAL INCREASE	525,521

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>525,521</u>
TOTAL REDUCTION	525,521

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.

PROPOSAL NO. 213, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 213, 1996 on March 20, 1996. The proposal is an appropriation of \$514,304 for the Department of Public Safety, Police Division, to hire ten additional police officers financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:43 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 213, 1996 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Talley, Tilford, Williams*
0 NAYS:
2 NOT VOTING: *Moore, Short*
1 ABSENT: *Black*

Proposal No. 213, 1996 was retitled FISCAL ORDINANCE NO. 28, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Five Hundred Fourteen Thousand Three Hundred Four Dollars (\$514,304) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the 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 1.01 (n) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for the deployment of ten additional police officers.

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SECTION 2. The sum of additional Five Hundred Fourteen Thousand Three Hundred Four Dollars (\$514,304) 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>	
1. Personal Services	<u>514,304</u>
TOTAL INCREASE	514,304

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

<u>FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Federal Grants Fund	<u>514,304</u>
TOTAL REDUCTION	514,304

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.

PROPOSAL NO. 214, 1996. The proposal is an appropriation of \$75,281 for the Department of Public Safety, Police Division, to establish in partnership with the Hudson Institute a national model for using criminology more directly to help fight crime financed by a federal grant. Councillor Dowden moved, seconded by Councillor Gilmer, to postpone Proposal No. 214, 1996 until the April 29th Council meeting. Proposal No. 214, 1996 was postponed by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 101, 1996. Councillors Coughenour reported that the Public Works Committee heard Proposal No. 101, 1996 on March 28, 1996. The proposal establishes a supplemental sewer user rate for the area formerly served by Fairwood Utilities. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 101, 1996, as amended, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Bradford, Cockrum, Coonrod, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

5 NOT VOTING: Brents, Coughenour, Dowden, Moores, Schneider

1 ABSENT: Black

Proposal No. 101, 1996, as amended, was retitled GENERAL ORDINANCE NO. 50, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1996

A GENERAL ORDINANCE amending the Section of the Code dealing with the establishment of rates and charges for the use of the sewer system.

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

SECTION 1. Section 671 of the Revised Code of Indianapolis and Marion County, Indiana, is hereby amended by adding a new Section 671-102.5 inserting the language underscored as follows:

Sec. 671-102.5. Supplemental charge for area previously served by the private utility, Fairwood Utilities, Inc.

(a) Supplemental charge imposed. There is hereby imposed monthly a supplemental charge, which shall be in addition to any other sewer user charge imposed by this article, payable upon each person owning or occupying real estate in the area described in subsection (b), provided such real estate is connected with and uses the wastewater works whether or not real estate taxes are imposed pursuant to IC 36-9-25 upon such real estate.

(b) Area. The supplemental repair charge established by this section shall apply only to the area previously served by the private utility, Fairwood Utilities, Inc., as described below:

All of that area included within the boundaries of the following described real estate:

- (1) That area served by Certificate of Territorial Authority Number 21 granted by the Public Service Commission of Indiana in Cause Number 28661 on July 1, 1960, more particularly described as follows:

Part of the Southwest Quarter and the Southeast Quarter of Section 25, Township 17 North of Range 4 East and part of the Northwest Quarter and the Northeast Quarter of Section 36, Township 17 North of Range 4 East, being more particularly described as follows, to-wit:

Beginning at a point on the West line of the Southwest Quarter of Section 25 a distance of 45.0 feet North of the Southwest corner of the said Southwest Quarter; running thence North 00 degrees 20 minutes 00 seconds West upon and along the West line of said Southwest Quarter Section, being also the center line of Hague Road, a distance of 1274.56 feet to the Northwest corner of the South Half of the Southwest Quarter of said Section 25; continuing thence North upon and along the West line of said Southwest Quarter Section a distance of 660.66 feet to a point; running thence East and parallel with the North line of said Southwest Quarter Section a distance of 2211.00 feet to a point; running thence South a distance of 466.62 feet to a point; running thence East a distance of 466.79 feet to a point on the East line of said Southwest Quarter Section; running thence South upon and along the East line of said Southwest Quarter Section a distance of 194.04 feet to the Northeast corner of the South Half of the Southwest Quarter of said Section 25; running thence North 89 degrees 47 minutes 52 seconds East upon and along the North line of the South Half of the Southeast Quarter of said Section 25, a distance of 354.10 feet to a point; running thence South 70 degrees 51 minutes 30 seconds East a distance of 507.71 feet to a point in the center line of Sargent Road as now located; running thence South 14 degrees 04 minutes 15 seconds West upon and along the center line of Sargent Road a distance of 1079.32 feet to a point; running thence South 36 degrees 42 minutes 00 seconds West upon and along the center line of Sargent Road a distance of 353.33 feet to a point; running thence South 42 degrees 01 minutes 00 seconds West upon and along the center line of Sargent Road a distance of 611.59 feet to a point; running thence South 31 degrees 30 minutes 15 seconds West upon and along the center line of Sargent Road a distance of 89.27 feet to the East corner of FAIRWOOD HILLS ADDITION-FIRST SECTION; running thence North 65 degrees 15 minutes 45 seconds West upon and along the North line of Fairwood Hills-First Section, a distance of 410.61 feet to a point; running thence North 45 degrees 25 minutes 15 seconds West a distance of 359.98 feet to a point; running thence North 74 degrees 15 minutes 06 seconds West a distance of 176.96 feet to a point; running thence South 89 degrees 21 minutes 00 seconds West a distance of 255.34 feet to a point of curvature of a 13.48136 degree curve (said curve has a deflection angle of 13 degrees 29 minutes 34 seconds and a radius of 425 feet - the South tangent of said curve has a bearing of North 12 degrees 50 minutes 34 seconds East);

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running thence North upon and along said curve a distance of 100.09 feet to the point of tangency of said curve; running thence North 00 degrees 39 minutes 00 seconds West upon and along the extension of the tangent of said curve a distance of 175.32 feet to a point (said point lies 45.00 feet North of the South line of the Southwest Quarter of Section 25, Township 17 North of Range 4 East); running thence South 89 degrees 21 minutes 00 seconds West parallel to and 45.00 feet North of the South line of the Southwest quarter of Section 25, Township 17 North of Range 4 East a distance of 1534.75 feet to the point or place of beginning, containing 149.7 acres more or less.

- (2) That area served by Certificate of Territorial Authority Number 28 granted by the Public Service Commission of Indiana in Cause Number 29147 on June 8, 1961, more particularly described as follows:

That part of the South East Quarter (1/4) of the South East Quarter (1/4) of Section 26, Township 17 North of Range 4 East in Marion County, Indiana, more particularly described as follows:

That part of the South East Quarter (1/4) Quarter (1/4) Section and running thence West, along and with the South line of said Quarter (1/4) Quarter (1/4) Section, 778 feet to a point; thence North parallel with the East line of said Quarter (1/4) Quarter (1/4) Section, 839.54 feet to a point; thence East, parallel with the South line of said Quarter (1/4) Quarter (1/4) Section, 778 feet to a point in the East line of said Quarter (1/4) Quarter (1/4) Section; thence South along and with said East line, 839.54 feet to the place of beginning, containing 15 acres, more or less.

- (3) That area served by Certificate of Territorial Authority Number 86 granted by the Public Service Commission of Indiana in Cause Number 32605 on March 26, 1971, more particularly described as follows:

A part of the Northwest quarter and a part of the Southwest quarter of Section 25, Township 17 North, Range 4 East in Marion County, Indiana, more particularly described as follows:

All that portion of the North half of the Southwest quarter not presently included in Certificate of Territorial Authority No. 21 more particularly described as follows: Beginning at the Northeast corner of the Southwest quarter; thence South upon and along the East line of said quarter section 1320 feet; thence West 462.79 feet; thence North 462.62 feet; thence West 1548.00 feet; thence North parallel with the West line of the Southwest quarter 660.66 feet to a point in the North line of the Southwest quarter; thence East upon and along the North line of said Southwest quarter 2017.00 feet, more or less, to the point of beginning, containing 44.4 acres, more or less.

ALSO, the Southwest quarter of the Northwest quarter of said section containing 40 acres, more or less.

- (4) A Subdivision commonly known as Creekwood, more particularly described as:

A part of the Northeast Quarter of Section 36, Township 17 North, Range 4 East in Marion County, Indiana, said part being more particularly described as follows:

Beginning at a point in the West line of "Wild-Ridge Subdivision", an Addition to Marion County, Indiana, the plat of which is recorded in the Office of the Marion County Recorder as Instrument Numbered 64-26827, said point being South 00 degrees 00 minutes 50 seconds East (Assumed Bearing) 175.98 feet of a stone identified on the aforesaid plat as the Northwest corner of the East Half of the said Quarter Section; thence South 00 degrees 00 minutes 59 seconds East upon and along the West line of the said subdivision, 1,349.36 feet to the Southwest corner of the said subdivision, said point also being in the centerline of Fall Creek Road as now located and established; the next three calls are upon and along tangent lines generally representative of the centerline of Fall Creek Road as now located and established; thence South 72 degrees 25 minutes 55 seconds West 363.54 feet to a point; thence South 58 degrees 18 minutes 43 seconds West 438.48 feet to a point; thence South 75 degrees 39 minutes 34 seconds West 339.41 feet to a point; the next ten calls are along the meandering of the foot hills along the East side of Mud Creek; thence North 25 degrees 53 minutes 22 seconds East 244.35 feet; thence North 43 degrees 10 minutes 22 seconds East 97.50 feet; thence North 34 degrees 09 minutes 22 seconds East 219.62 feet; thence North 55 degrees 47 minutes 22 seconds East 71.95 feet; thence North 25 degrees 52 minutes 22 seconds East 259.93 feet; thence North 19 degrees 45 minutes 22 seconds East 164.15 feet; thence North 24 degrees 25 minutes 22

seconds East 270.42 feet; thence North 47 degrees 41 minutes 22 seconds East 374.16 feet; thence North 21 degrees 02 minutes 22 seconds East 224.92 feet; thence North 18 degrees 09 minutes 16 seconds East 172.58 feet to the POINT OF BEGINNING, containing 15.75 acres, more or less, subject, however, to all legal highways, rights-of-way, easements and restrictions of record.

(c) How calculated: maximum. The supplemental charge established by this section shall in no instance exceed \$9.85 per month, subject to subsection (d) below, and shall be calculated using the following formula:

SC = \$9.85, or A + B + C ÷ D ÷ E, whichever is less;

Where:

SC ≡ Supplemental charge
A ≡ Imputed interest on funds advanced for purchase and repair of Fairwood's assets, for an amount not to exceed \$103,000
B ≡ Amount of cash transaction to purchase assets of Fairwood Utilities, for an amount not to exceed \$30,444
C ≡ Actual cost of design, inspection and construction costs of necessary repairs to the Fairwood sanitary sewer system
D ≡ Number of properties in the Area which are connected with and using the wastewater works
E ≡ 120 months (10 years)

(d) Notwithstanding subsection (c), the supplemental charge for Crestview Elementary School, located at 7601 East 56th Street, Indianapolis, shall be 4.5 times the supplemental charge set forth in subsection (c) due to the fact that the school uses approximately 4.5 times the amount of water as the typical home in the Area.

(e) Effective date and duration: The supplemental charge established by this section shall be effective as of the effective date of the acquisition of the assets of the private utility, Fairwood Utilities, Inc., by the department and shall continue thereafter for 120 months (10 years). On the effective date, the supplemental repair charge shall be \$9.85 and shall thereafter be subject to automatic downward adjustment under subsection (f).

(f) Automatic downward adjustment. The department shall automatically adjust downward the supplemental charge established by this section in the event that the value of factors "A", "B", and/or "C" in the formula set forth in subsection (c) is less than the amount indicated for that factor in subsection (c). This automatic downward adjustment shall apply proportionally to the charge established by subsection (d).

SECTION 2. (a) 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.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 156, 1996. Having acted as Chairman in Councillor Schneider's absence, Councillor Shambaugh reported that the Administration and Finance Committee heard Proposal No. 156, 1996 on March 19, 1996. The proposal determines the necessity of the Sheriff's

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Department to lease office space at the Airport Technology Center, 7900 West Rockville Road. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Shambaugh moved, seconded by Councillor Short, for adoption. Proposal No. 156, 1996 was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

2 NOT VOTING: Dowden, Gray

1 ABSENT: Black

Proposal No. 156, 1996 was retitled SPECIAL RESOLUTION NO. 22, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1996

A SPECIAL RESOLUTION determining the need to lease office space at Airport Technology Center, 7900 W. Rockville Road, Indianapolis, IN 46242 for the Marion County Sheriff's Department.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Marion County Sheriff's Department is necessary.

SECTION 2. The property to be leased is at the Airport Technology Center, 7900 W. Rockville Road, Indianapolis, IN 46242, and is owned by The Union Central Life Insurance Co., an Ohio corporation.

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

Councillor Curry asked for consent to vote on Proposal Nos. 204 and 205, 1996 together. Consent was given.

PROPOSAL NO. 204, 1996. The proposal determines the necessity of the Indianapolis-Marion County Building Authority acquiring and renovating real estate and buildings located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility. PROPOSAL NO. 205, 1996. The proposal determines the necessity of the Sheriff's Department investigating the purchase of real estate and buildings located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal Nos. 204 and 205, 1996 on March 19, 1996. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that Proposal No. 204, 1996 do pass as amended and that Proposal No. 205, 1996 do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption.

Councillor Williams asked if these issues would be before the Council again before any final action was taken. Councillor Curry responded that these proposals were for approval to investigate and to begin negotiations. Further proposals for final action would be forthcoming. Councillor Williams voiced her support of these proposals and asked that neighborhood businesses be given input into exterior plans for this facility.

Councillor Gilmer asked if any financials were available at this time. Councillor Curry responded that no definite numbers had been established. Deputy Auditor William G. Lantz, III stated that this proposal would allow the Building Authority to proceed to gather the data to obtain accurate cost estimates.

Proposal No. 204, 1996, as amended, and Proposal No. 205, 1996 were adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 204, 1996, as amended, was retitled SPECIAL RESOLUTION NO. 23, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1996

A SPECIAL RESOLUTION declaring a necessity for the acquisition and renovation of real property and buildings located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility, and directing the Indianapolis-Marion County Building Authority to proceed immediately with the acquisition, renovation, and financing thereof.

WHEREAS, the Indianapolis-Marion County Building Authority ("Building Authority") was created under the provisions of IC 36-9-13-1 *et seq.* for the purpose of financing, acquiring, constructing, renovating, equipping, operating, and leasing buildings for public and governmental purposes to governmental units within Marion County; and

WHEREAS, the Marion County Sheriff needs to resolve the continuing problem of overcrowding of inmates in the Marion County Jail ("Jail") and the inevitability of the need for additional inmate space and capacity; and

WHEREAS, the real property and buildings located at 730 East Washington Street and 752 East Market Street have been identified as being suitable for renovation as a supplemental jail facility; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana ("Council") now determines that it is in the best interests of the taxpayers and residents of Marion County for the Building Authority to acquire, renovate, and finance the real property and buildings located at 730 East Washington Street and 752 East Market Street to provide additional inmate capacity and to lease such space to Marion County; now, therefore:

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

SECTION 1. The Council hereby declares that a necessity exists for the investigation into the acquisition and renovation of the real property and buildings at 730 East Washington Street and 752 East Market Street to be used as additional inmate space to relieve the continuing problem of overcrowding of inmates at the Jail.

SECTION 2. The Council finds that the acquisition and renovation of such real property and buildings is a possible solution to providing additional inmate space and capacity, and is in the best interests of the taxpayers and residents of Marion County.

SECTION 3. The Council authorizes the Building Authority to proceed with the development of the plans and specifications for the renovation of such buildings as a supplemental jail facility, including related equipment, to determine the costs of such renovation and the financing thereof, and to propose the terms and conditions of a lease between the Building Authority and the County for occupancy of such facility.

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SECTION 4. The Council authorizes the Mayor of the City of Indianapolis as the chief executive for the County of Marion, the Auditor of the County of Marion, and the Marion County Sheriff to take all action and to execute such documents as are necessary and appropriate to cause the Building Authority to acquire, renovate, and finance such real property and buildings as a supplemental jail facility.

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

Proposal No. 205, 1996 was retitled SPECIAL RESOLUTION NO. 24, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1996

A SPECIAL RESOLUTION authorizing the investigation of the purchase of approximately four and two-tenths (4.2) acres of improved real property located at 730 East Washington Street and 752 East Market Street for use by the Marion County Sheriff's Department as a supplemental jail facility.

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

SECTION 1. The Marion County Sheriff's Department desires to investigate the purchase of approximately four and two-tenths (4.2) acres of improved real property located at 730 East Washington Street and 752 East Market Street ("the Real Estate") for use as a supplemental jail facility.

SECTION 2. The Real Estate is owned by Service Supply Co., Inc., 603 East Washington Street, Indianapolis, Indiana.

SECTION 3. The City-County Council hereby authorizes the investigation of the purchase of the Real Estate from Service Supply Co., Inc. for a price no greater than the average of the two (2) appraisals required by IC 36-1-10.5-5 for use as a supplemental jail facility by the Marion County Sheriff's Department.

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

PROPOSAL NO. 216, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 216, 1996 on March 20, 1996. The proposal is an appropriation of \$645 for the Department of Public Safety, Division of Weights and Measures, to cover overage for the purchase of a vehicle financed by a transfer within the division's Consolidated County 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 Coughenour, for adoption. Proposal No. 216, 1996 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*

0 NAYS:

2 NOT VOTING: *Coonrod, Williams*

1 ABSENT: *Black*

Proposal No. 216, 1996 was retitled FISCAL ORDINANCE NO. 29, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Six Hundred Forty-five Dollars

(\$645) in the Consolidated County Fund for purposes of the Department of Public Safety, Division of Weights and Measures 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 1.01 (n) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Division of Weights and Measures, to provide additional funds needed for the purchase of a vehicle.

SECTION 2. The sum of Six Hundred Forty-five Dollars (\$645) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>DIVISION OF WEIGHTS AND MEASURES</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlays	645
TOTAL INCREASE	645

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

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>DIVISION OF WEIGHTS AND MEASURES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	645
TOTAL DECREASE	645

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

PROPOSAL NO. 218, 1996. Councillor Gilmer reported that the Capital Asset Management and Public Works Committees heard Proposal No. 218, 1996 at a joint meeting on March 28, 1996. The proposal allows the Board of Capital Asset Management to establish certain sanitary sewer fees by regulation. By a 13-0 vote, the Committees reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 218, 1996 was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
2 NOT VOTING: Schneider, SerVaas
1 ABSENT: Black

Proposal No. 218, 1996 was retitled GENERAL ORDINANCE NO. 51, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1996

A GENERAL ORDINANCE amending Sections 671-22 and 671-152 of the Revised Code to enable the Board of Capital Asset Management to establish certain sanitary sewer fees by regulation.

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

SECTION 1. Section 671-22 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined language and deleting the stricken-through language as follows:

Sec. 671-22. Connection permits.

(a) *Permit required.* It shall be unlawful to cause or allow the repair, modification or connection of a building sewer to a public sewer or another building within the sanitary district without a valid sanitary sewer connection permit issued by the department. Permits will not be granted for connections to sewers not dedicated and accepted in accordance with section 671-161 of this chapter. This shall in no way limit the issuance of a building permit by the division of development services subject to the approval of a sanitary sewer connection permit application by the department of public works.

(b) *Minimum elevations for gravity connection.* A sanitary sewer connection permit will not be granted to homes or buildings where the lowest elevation to have gravity sanitary services is less than one (1) foot above the top of manhole casting elevation of either the first upstream or downstream manhole on the public sewer to which the connection is to be made. If the first upstream or downstream manhole is at a higher elevation due to the natural topography of the area, an alternate manhole will be selected for the purpose of determining this measurement.

(c) *Grease interceptors.* A grease interceptor meeting the requirements of the department of fire prevention and building services shall be installed in waste lines (building sewers) from establishments delineated in section 671-4(g). The design and location of the grease interceptor shall be submitted to the department for approval.

(d) *Permit fee.* A fee of ~~fifty dollars (\$50.00)~~ per connection to the sewer shall be charged for a sanitary sewer connection permit. The board of ~~public works~~ capital asset management shall establish the amount of such fee by regulation and may revise the amount of such fee but not more often than once each calendar year. The fee shall cover the costs of mandatory inspection by the department of the building sewer and its connection, and any reinspection that may be necessary because of remedial construction.

(e) *Modification of permit fee.* The board of ~~public works~~ capital asset management may modify the fee for connection permits under a public improvement resolution or in the exercise of the department's general powers and duties to construct city sewers.

(f) *Applications.* An application for such connection permit shall be made on a form prescribed by the director and may require the following information:

- (1) Name and address of the owner.
- (2) The name, address and telephone number of the contractor.
- (3) Address and, if necessary, the legal description of the premises where the work is to be done.
- (4) Plans for the building sewer and connections, which at a minimum must consist of drawings(s) of the building, the parcel boundaries, the connection detail, including grease interceptor connection detail where applicable, materials of construction and installation method.
- (5) Any other information as may be deemed reasonable and necessary by the director to carry out the provisions of this chapter.

(g) *Who may apply.*

- (1) Application for a sewer connection permit shall only be made by the following:
 - a. A plumbing contractor licensed by the state and registered in accordance with section 8-270 of the Indianapolis Code.
 - b. A contractor (other than a plumbing contractor) who has met the surety bond and insurance requirements of the department of metropolitan development. Surety bond requirements are met if the building sewer contractor has filed and maintains with the city a surety bond, as set forth in section 8-168 of the Indianapolis Code. Insurance requirements are met if the contractor has secured and maintains a public liability and property damage insurance policy as set forth in section 8-169 of the Indianapolis Code.
- (2) The department may deny permits to any applicant who is currently in violation of this chapter or any other applicable regulations.

- (3) Application by persons other than those listed above may be accepted at the discretion of the director.

(h) *Conformance with Indiana Fire Prevention and Building Safety Regulations.* All sewer work and other construction actually performed on or associated with the building drain, building sewer and the connection of the building sewer to the public sewer shall be in accordance with the rules and regulations of the Indiana Fire Prevention and Building Safety commission and standard specifications of the department of public works.

(i) *Expiration of permit.* The connection permit shall expire if work is not initiated within one hundred fifty (150) days from the date of issuance. The director may, however, for good cause, extend the duration of the permit for a reasonable period.

(j) *Provisions of chapter supplemental to other construction ordinances.* This chapter shall not be construed as contravening any ordinances of the city relating to construction within public streets, roads or rights-of-way but rather shall be supplemental thereto.

(k) *Enforcement of bond.* Any action may be initiated in a court of competent jurisdiction relative to the bond provided for in subsection (g)(1)b as follows:

- (1) The corporation count of the city may initiate proceedings to forfeit a bond:
 - a. As a penalty for repeated Code violations by a contractor, his agents or employees; or
 - b. To indemnify the city against any loss, damage or expense sustained by the city by reason of the conduct of the contractor, his agents or employees.
- (2) A person, partnership or corporation which holds a property interest in the real estate on which sewer work has occurred may bring an action against the bond for expenses necessary to correct code deficiencies therein after written notice of the code deficiency has been given to the contractor and after the contractor has been given a reasonable opportunity to correct performance. If such a person, partnership or corporation prevails in any action brought under this section, he may also be allowed by the court to recover as part of the judgment a sum equal to the aggregate amount of costs and expenses, including attorney's fees based on actual time expended as determined by the court to have been reasonably incurred by the plaintiff for or in connection with the commencement and prosecution of such action.

SECTION 2. Section 671-152 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined language and deleting the stricken-through language as follows:

Sec. 671-152. Application procedures.

(a) Applications shall be submitted in accordance with procedures established by the department and revised from time to time. Design plans and specifications for the construction of sanitary sewers shall be developed by or under the direction of a professional engineer registered in accordance with IC 25-31-1 and shall have a title sheet which includes the professional engineer's seal and signature.

(b) An application fee of ~~fifty dollars (\$50.00)~~ shall be submitted to cover the cost of plan review. The board of capital asset management shall establish the amount of such fee by regulation and may revise the amount of such fee but not more often than once each calendar year.

(c) Applications for construction permits shall be submitted at least sixty (60) days in advance of the proposed start of construction, provided, however, that a shorter time period may be approved by the director.

(d) Applications shall include a certificate of sufficiency of plan filed by a professional engineer registered in accordance with IC 25-31-1.

(e) The director may, as a prerequisite to the issuance of a construction permit, require developers, wherever applicable, to send written notification to property owners whose properties abut the route of the proposed sewer.

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(f) Applications shall include any additional information deemed necessary by the director to carry out the provisions of this chapter.

SECTION 3. The fifty dollar (\$50.00) permit fee in Section 671-22(d) and the fifty dollar (\$50.00) application fee in Section 671-152(b) shall remain in effect until such time as the board of capital asset management has established fees by regulation.

SECTION 4. The express 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 5. 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 6. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Coughenour stated that in the joint meeting of the Capital Asset Management and Public Works Committees on March 28, 1996, two regulations were reviewed and that Proposal Nos. 300 and 301, 1996 were a result of discussions regarding these regulations. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 300, 1996. The proposal amends Regulation 96-01 of the Board of Capital Asset Management and stays the effective date of such regulation until June 13, 1996. PROPOSAL NO. 301, 1996. The proposal amends Regulation 96-02 of the Board of Capital Asset Management and stays the effective date of such regulation until June 13, 1996.

Assistant Corporation Counsel Jane Morrison explained that the Board of Capital Asset Management had approved these two regulations and were waiting on the Council's approval. The Committees chose to extend the period for 90 days to allow further input from the community.

Councillor Coughenour moved, seconded by Councillor Moores, for adoption. Proposal Nos. 300 and 301, 1996 were adopted by the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*
0 NAYS:
2 NOT VOTING: *Gilmer, Schneider*
1 ABSENT: *Black*

Proposal No. 300, 1996 was retitled COUNCIL RESOLUTION NO. 40, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1996

A COUNCIL RESOLUTION staying the effective date of and amending Board of Capital Asset Management Regulation 96-01.

WHEREAS, after a public hearing on March 13, 1996, the Board of Capital Asset Management adopted Regulation 96-01, establishing plan review and other fees for privately-developed stormwater or drainage facilities and land alteration activities; and

WHEREAS, on March 14, 1996, Regulation 96-01 was filed with the Clerk of the City-County Council; and

WHEREAS, pursuant to Section 271-31 of the Revised Code of the Consolidated City and County, Regulation 96-01 shall become effective thirty (30) days after the date of filing unless the Council prior thereto rejects the Regulation or stays the effective date; and

WHEREAS, pursuant to Section 271-31 of the Revised Code of the Consolidated City and County, the City-County Council may, during the thirty (30) day period, stay the effective date of Regulation 96-01 up to a maximum of ninety (90) days; and

WHEREAS, the City-County Council may, during the thirty (30) day period, amend Regulation 96-01; now, therefore:

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

SECTION 1. The effective date of Board of Capital Asset Management Regulation 96-01 shall be June 13, 1996, unless the Council prior thereto rejects the Regulation by resolution.

SECTION 2. Board of Capital Asset Management Regulation 96-01 is hereby amended by inserting the underlined language and deleting the stricken-through language as follows:

BOARD OF CAPITAL ASSET MANAGEMENT
REGULATION 96-01

A Regulation adopted pursuant to Chapter 10.5, Article 11, Division 8, Fees, Section 10.5-90 of the Code of Indianapolis and Marion County, Indiana, revoking a prior resolution and establishing plan review and other fees for privately-developed stormwater or drainage facilities and land alteration activities.

1. Resolution No. 2450-1980 adopted by the Board of Public Works on November 24, 1980, shall be revoked in its entirety upon the effective date of this Regulation.
2. Plan review and other fees for privately-developed stormwater or drainage facilities and land alteration activities shall be as follows:

	<u>Description</u>	<u>Fee</u>
A.	Platting of Residential Subdivision	
	1. Preliminary plat review	\$250.00
	2. Final plat review	\$250.00 (up to 10 lots; \$35.00 for each lot in excess of 10)
B.	Permit Fees for Construction of Residential Structures	
	1. New structure in approved subdivision	\$ 40.00
	2. New structure in subdivision platted prior to 1980 or by metes and bounds	\$ 75.00
	3. Addition to residential structure	\$ 30.00
C.	Review Fees for Commercial and Subdivision Development	
	1. Initial fee for plat and/or plan submittal with up to 3 hours of technical review	\$125.00
	2. Hourly rate with private inspection (over 5 acres):	
	a. Effective May July 1, 1996	\$ 90.00
	b. Effective January 1, 1997	\$100.00
	c. Effective January 1, 1998	\$115.00
	3. Hourly rate without private inspection (under 5 acres):	

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| a. | Effective May July 1, 1996 | \$110.00 |
| b. | Effective January 1, 1997 | \$120.00 |
| c. | Effective January 1, 1998 | \$135.00 |
| 4. | Hourly rate for accelerated review with private inspection (over 5 acres) | \$175.00 |
| D. Miscellaneous Fees | | |
| 1. | Initial fee for processing of encroachment and other petitions (up to 3 hours) | \$250.00 |
| 2. | Hourly fee for processing of encroachment and other petitions (over 3 hours): | |
| a. | Effective May July 1, 1996 | \$110.00 |
| b. | Effective January 1, 1997 | \$120.00 |
| c. | Effective January 1, 1998 | \$135.00 |
| 3. | Stormwater connection permit | \$ 75.00 |
| 4. | Copying charges: | |
| a. | Specifications/standards manual | \$ 35.00 |
| b. | Copy of ordinance | \$ 5.00 |
| c. | Contour maps/plan sheets | \$ 4.50 |

The foregoing was passed by the Board of Capital Asset Management on the 13th day of March, 1996.

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

Proposal No. 301, 1996 was retitled COUNCIL RESOLUTION NO. 41, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1996

A COUNCIL RESOLUTION staying the effective date of and amending Board of Capital Asset Management Regulation 96-02.

WHEREAS, after a public hearing on March 13, 1996, the Board of Capital Asset Management adopted Regulation 96-02, establishing plan review and other fees for privately-developed transportation systems; and

WHEREAS, on March 13, 1996, Corporation Counsel approved Regulation 96-02 as to legality; and

WHEREAS, on March 14, 1996, Regulation 96-02 was filed with the Clerk of the City-County Council; and

WHEREAS, pursuant to Section 28-323 of the Code of Indianapolis and Marion County, Indiana, Regulation 96-02 shall become effective thirty (30) days after the date of filing unless the Council prior thereto amends the Regulation or stays the effective date; and

WHEREAS, pursuant to Section 28-323 of the Code of Indianapolis and Marion County, Indiana, the City-County Council may, during the thirty (30) day period, stay the effective date of Regulation 96-02; and

WHEREAS, pursuant to Section 28-323 of the Code of Indianapolis and Marion County, Indiana, the Council may, during the thirty (30) day period, amend Regulation 96-02; now, therefore:

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

SECTION 1. The effective date of Board of Capital Asset Management Regulation 96-02 shall be June 13, 1996, unless the Council prior thereto rejects the Regulation by resolution.

SECTION 2. Board of Capital Asset Management Regulation 96-02 is hereby amended by inserting the underlined language and deleting the stricken-through language as follows:

BOARD OF CAPITAL ASSET MANAGEMENT
REGULATION 96-02

A Regulation adopted pursuant to Chapter 28, Article VII, Section 28-323 of the Code of Indianapolis and Marion County, Indiana, establishing plan review and other fees for privately-developed transportation systems:

<u>Description</u>	<u>Fee</u>
1. Transportation Plan Review Fees for Commercial and Subdivision Development	
a. Initial fee for plat and/or plan submittal with up to 3 hours of technical review	\$125.00
b. Hourly rate (over 3 hours):	
i. Effective May July 1, 1996	\$110.00
ii. Effective January 1, 1997	\$120.00
iii. Effective January 1, 1998	\$135.00
2. Miscellaneous Fees	
a. Copying charges:	
i. Copy of ordinance	\$ 5.00
ii. Contour maps/plan sheets	\$ 4.50

The foregoing was passed by the Board of Capital Asset Management on the 13th day of March, 1996.

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

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Coughenour asked that Proposal No. 279, 1996 be held for public hearing on April 29, 1996 at 7:00 p.m. Consent was given. Proposal No. 279, 1996 is identified as follows:

96-Z-4 (Amended) PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.
2150 EAST NATIONAL AVENUE (approximate address), INDIANAPOLIS.
JOHN STACK, by Raymond Good, requests the REZONING of 1.75 acres, being in the D-4 District, to the C-S classification to provide for an office and recreational facility for an indoor golf driving range and soccer use as well as continued residential use of an existing structure.

The Council did not schedule Proposal Nos. 277, 278, 280-288, 1996 for hearing pursuant to IC 36-7-7-608. Proposal Nos. 277, 278, and 280-288, 1996 were retitled REZONING ORDINANCE NOS. 72-82, 1996, and are identified as follows:

REZONING ORDINANCE NO. 72, 1996. 95-Z-236
3202 POST ROAD (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
C.I.L., INC., by J. Murray Clark, requests the rezoning of 81.238 acres, being in the D-A(FF) District, to the I-2-S(FF) classification to provide for construction of an industrial development.

REZONING ORDINANCE NO. 73, 1996. 96-Z-17 (96-DP-1) Amended
7901 FRYE ROAD (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
PROJECTS PLUS, by Thomas Michael Quinn, requests a rezoning of 66.30 acres, being in the D-A District, to the D-P classification to provide for construction of a low density single-family residential development of 154 lots.

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REZONING ORDINANCE NO. 74, 1996. 96-Z-10 (Amended)
1133 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.
HJW PARTNERS requests the rezoning of 0.65 acre, being in the I-3-U District, to the C-5 classification to provide for an automobile sales operation.

REZONING ORDINANCE NO. 75, 1996. 96-Z-12 (Amended)
2631 EAST RAYMOND STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.
JAMES A. BRIGHTWELL, by Mitch Sever, requests the rezoning of 1.00 acre, being in the C-1 and D-4 Districts, to the C-S classification to provide for:

1. checking cashing or validation service;
2. parcel packing/mailing service (excluding industrial);
3. business and personal services, including: barber shop, beauty shop, dry cleaning or laundry pick-up station, locksmith, photofinishing, interior decorator, key duplicating, mail order store, laundromat, tanning salon, upholstery, veterinarian;
4. rental or leasing of: computers, furniture, costumes, office machines, light equipment rental, tool rental;
5. repair services, including: bicycles, clocks, watches, jewelry, dental instruments, musical instruments, shoes, cameras, computers, drafting instruments, optical goods, typewriters, air conditioning service, antique and furniture repair and restoration and refinishing, laboratory instruments, lawn mower repair, glass fabrication and installation;
6. retail-type uses, including: antique store, major and minor household appliances, bookstore, bait and tackle, floor covering store, furniture store, hardware store, hospital and sick room equipment, music store, paint and wallpaper store, pawn shop, second hand store, telephones, tobacco store, video store;
7. automotive uses, including: detail, upholstery and trim shop, glass replacement;
8. job printing;
9. all contractor's uses; and,
10. mini-warehouse uses.

REZONING ORDINANCE NO. 76, 1996. 96-Z-28
1326 EAST SUMNER AVENUE (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.
JOHN GEE, by Steve Hlatky, requests a rezoning of 1.9 acres, being in the D-5 District, to the SU-I classification to provide for the construction of a 30 by 60 foot building for church use.

REZONING ORDINANCE NO. 77, 1996. 96-Z-30
1125 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.
THE MOST REVEREND DANIEL M. BUECHLEIN, ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS, by James L. Tuohy, requests a rezoning of 0.75 acre, being in the C-4 District, to the SU-I classification to provide for the conversion of an existing building for church use.

REZONING ORDINANCE NO. 78, 1996. 96-Z-32
1650 - 1712 NORTH COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
CROSSMAN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests a rezoning of 13.88 acres, being in the D-A (FF) District, to the D-5 (FF) classification to provide for residential development.

REZONING ORDINANCE NO. 79, 1996. 96-Z-33
3901 NORTH LESLEY AVENUE (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 14.
LIGHT OF THE WORLD CHRISTIAN CHURCH, by Stephen D. Mears, requests a rezoning of 1.5 acres, being in the SU-I and D-5 Districts, to the D-10 classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 80, 1996. 96-Z-35
1155 EAST CAMERON STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.

MOST REVEREND DANIEL M. BUECHLEIN, ARCHBISHOP, ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS, by James L. Tuohy, requests a rezoning of 8 acres, being in the D-5 and C-2 Districts, to the SU-1 classification to provide for religious uses including the construction of a new church building and the renovation of an existing building for church/school related uses.

REZONING ORDINANCE NO. 81, 1996. 96-Z-36

2316 SOUTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 25 acres, being in the PK-1 District, to the SU-34 classification to conform zoning classification for camp ground use and to correct a map error in connection with petition 88-Z-131.

REZONING ORDINANCE NO. 82, 1996. 96-CP-3Z

2801 SOUTH HOLT ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17.

MAPLEHURST FARMS, INCORPORATED, by Christopher D. Long, requests the rezoning of 0.399 acre, being in the C-3 District, to the I-3-U classification to provide for an expansion of an existing dairy operations facility.

The Council did not schedule Proposal Nos. 290-299, 1996 for hearing pursuant to IC 36-7-7-608. Proposal Nos. 290-299, 1996 were retitled REZONING ORDINANCE NOS. 83-92, 1996, and are identified as follows:

REZONING ORDINANCE NO. 83, 1996. 96-Z-31

743 EAST NEW YORK STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22.

KELLER-WEBB ASSOCIATES, request the rezoning of 0.23 acres from I-3-U District to CBD-2 District to bring the current use, The Great Divide Tavern, into conformance with the zoning ordinance.

REZONING ORDINANCE NO. 84, 1996. 96-Z-26

2306 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16.

RUTH ANN SHERRELL, by Michael J. Kias, requests a rezoning of 0.905 acre, being in the C-4 District, to the C-5 classification to provide for commercial development including outdoor vehicle sales, display and repair services .

REZONING ORDINANCE NO. 85, 1996. 96-Z-34 (Amended)

5701 NORTH GEORGETOWN ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9.

SHURGARD STORAGE CENTER, INC., by Brian J. Tuohy, requests a rezoning of 4.208 acres, being in the C-3 District, to the C-S classification to provide for the development of mini-warehouses with approximately 68,000 square feet of indoor storage area and with limited rental of small trucks and vans to be stored outdoors.

REZONING ORDINANCE NO. 86, 1996. 96-Z-38 (Amended)

1425 BARTH AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.

HEALTH AND HOSPITAL CORPORATION OF MARION COUNTY, by Thomas Michael Quinn, requests therezoning of 0.268 acre, being in the D-5 District, to the C-1 classification to provide for an off-street parking area for an existing health care center.

REZONING ORDINANCE NO. 87, 1996. 96-Z-39

8516 MADISON AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

PAUL and CONCETTA GROVES, by Mary E. Solada, requests a rezoning of 2.66 acres, being in the D-A District, to the C-3 classification to provide for a commercial neighborhood retail use, including seasonal retail sales.

REZONING ORDINANCE NO. 88, 1996. 96-Z-40

2801 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10.

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OLYMPIC CHEMICAL & SUPPLY COMPANY, INC., by Stephen A. Backer, requests a rezoning of 1.876 acres, being in the C-3 District, to the I-2-S classification to provide for the wholesale and retail sales of industrial cleaning equipment and supplies with an office, showroom, warehouse and distribution facility.

REZONING ORDINANCE NO. 89, 1996. 96-Z-48

3702 WEST MINNESOTA STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17.

CHARLES D. and MARIE K. FRAUHIGER, by Stephen D. Mears, request a rezoning of 7.43 acres, being in the I-4-U District, to the C-7 classification to provide for commercial development.

REZONING ORDINANCE NO. 90, 1996. 96-Z-52

234 and 236 WEST WISCONSIN STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25.

CONCORD COMMUNITY DEVELOPMENT CORPORATION, by Zoe Urena Weiss, requests a rezoning of 0.34 acre, being in the D-5 District, to the D-8 classification to provide for the construction of seven attached two-family dwellings.

REZONING ORDINANCE NO. 91, 1996. 96-Z-53

909-971 WEST 30TH STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

DEPARTMENT OF METROPOLITAN DEVELOPMENT/ NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION requests a rezoning of 0.86 acre, being in the C-3 District, to the D-5 classification to provide for the construction of single-family residences.

REZONING ORDINANCE NO. 92, 1996. 96-CP-5Z (Amended)

5155 BLUFF ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.

MAJOR LAND SURVEYING, INC. requests a rezoning of 4.14 acres, being in the D-2 (W-5) District, to the D-1(W-5) classification to provide for single-family residential development.

The President asked that Robert Elrod, General Counsel, and Councillors Coughenour and Borst try to avoid hearing both rezonings at the same Council meeting through negotiations with the remonstrators.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 221 and 223-226, 1996 on March 28, 1996. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 221, 1996. The proposal, sponsored by Councillor Gilmer, authorizes a traffic signal at Lafayette Road/High School Road/ 62nd Street (District 1). Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 221, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 221, 1996 was retitled GENERAL ORDINANCE NO. 52, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1996

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>
9	Lafayette Rd, 62nd St	62nd 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>
9	Lafayette Rd, 62nd St, High School Rd	None	Signal

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 223-225, 1996 together. Consent was given.

PROPOSAL NO. 223, 1996. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at Park Avenue and 15th Street (District 22). PROPOSAL NO. 224, 1996. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at 13th Street and Farley Drive (District 18). PROPOSAL NO. 225, 1996. The proposal, sponsored by Councillor Massie, authorizes a multi-way stop at Lawrence Avenue and Otterbein Avenue (District 20). Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 223-225, 1996 were adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Short, Smith, Talley, Tilford, Williams*

0 NAYS:

2 NOT VOTING: *Schneider, Shambaugh*

1 ABSENT: *Black*

Proposal No. 223, 1996 was retitled GENERAL ORDINANCE NO. 53, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1996

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:

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 41	Park Av 15th St	Park Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 41	Park Av 15th St	None	All Stop

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

Proposal No. 224, 1996 was retitled GENERAL ORDINANCE NO. 54, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1996

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	13th St, Farley Dr	Farley 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>
22	13th St, Farley Dr	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. 225, 1996 was retitled GENERAL ORDINANCE NO. 55, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1996

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>
39	Lawrence Av, Otterbein Av	Lawrence Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39	Lawrence Av, Otterbein Av	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. 226, 1996. The proposal, sponsored by Councillor Brents, authorizes a loading zone on a segment of Talbot Street north of Vermont Street (District 16). Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 226, 1996 was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, Shambaugh, Short, Smith, Talley, Tilford, Williams*
 0 NAYS:
 1 NOT VOTING: *SerVaas*
 1 ABSENT: *Black*

Proposal No. 226, 1996 was retitled GENERAL ORDINANCE NO. 56, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-331, Passenger and material loading zones.

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. 29-331, Passenger and material loading zones, be, and the same is hereby, amended by the addition of the following, to wit:

Talbot Street, on the east side,
 from a point 83 feet north of Vermont Street
 to a point 127 feet north of Talbot Street

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

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NEW BUSINESS

Councillor O'Dell invited Council members and the public to attend the Municipal Corporations Committee meeting scheduled for Thursday, April 11, 1996 at 5:00 p.m. in the Public Assembly Room, where an update on Market Square Arena will be given.

Councillor O'Dell also invited Council members to the kick-off press conference for the Indianapolis Scarborough Peace Games on Saturday, April 13, at 1:00 p.m.

Councillor Bradford stated that the Indianapolis Business Expo would be held at the Convention Center and RCA Dome April 9-11, 1996.

General Counsel Robert Elrod read the following announcements

This Council will hold a public hearing on Rezoning Petition No. 96-Z-4, Council Proposal No. 279, 1996, at its next regular meeting on April 29, 1996, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 1075 acres at 2150 East National Avenue from D-4 to C-S to provide for an office and recreational facility for an indoor golf driving range and soccer use as well as continued residential use of an existing structure.

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

This Council will hold a public hearing on Rezoning Petition No. 96-Z-47, Council Proposal No. 289, 1996, at its next regular meeting on April 29, 1996, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 40.86 acres at 1721 W. Southport Road from D-A to D-P to provide for a 5-high family residential development.

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

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:

- (1) Councillors Jones and Gray in memory of John "Ritty" Jones; and
- (2) Councillor Shambaugh in memory of Frank A. Shackelford, III.

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 John "Ritty" Jones and Frank A. Shackelford, III. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

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

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of April, 1996.

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

Beurt Serwaas

President

Sullen Hart

Clerk of the Council

ATTEST:

(SEAL)