

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

**REGULAR MEETINGS
MONDAY, SEPTEMBER 9, 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 7:06 p.m. on Monday, September 9, 1996, with Councillor SerVaas presiding.

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

ROLL CALL

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

29 PRESENT: Black, 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 ABSENT:

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Smith acknowledged the presence of Marion County Sheriff Jack Cottey and his wife. Councillor Short acknowledged his family who were watching at home, and recognized State Archivist Gerry Handfield.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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

Ladies And Gentlemen :

You are hereby notified 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, September 9, 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

August 21, 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 Court & Commercial Record* and the *Indianapolis Star* or *Indianapolis News* on Friday, August 23, 1996, a copy of a Notice of Public Hearing on Proposal Nos. 556, 557, 558, 559, 560, 561, and 562, 1996, to be held on Monday, September 9, 1996, at 7:00 p.m., in the City-County Building.

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

August 26, 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 Court & Commercial Record* and the *Indianapolis Star* or *Indianapolis News* on Friday, August 30, 1996, a copy of a LEGAL NOTICE on General Ordinance No. 125, 1996.

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

August 23, 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. 80, 1996 - an appropriation of \$300,000 for the Department of Public Works, Maintenance Operations Division, to pay for cost overruns due to the snow removal of 1996 financed by a federal grant

FISCAL ORDINANCE NO. 81, 1996 - an appropriation of \$250,000 for the Department of Administration, Indianapolis Fleet Services Division, to pay for cost overruns due to the snow removal of 1996 and the purchase of a new wrecker financed by a transfer within the division's Consolidated County Fund

SPECIAL ORDINANCE NO. 14, 1996 - a special ordinance for Indiana Veneers Corp. to proceed with the acquisition of machinery, equipment and/or other fixtures and the expansion of the existing building located at 1121 East 24th Street in an amount not to exceed \$1,000,000 (District 10)

September 9, 1996

SPECIAL ORDINANCE NO. 15, 1996 - a special ordinance for Willowbrook Affordable Housing Corp. to proceed with the acquisition, renovation and equipping of the existing 385-unit multi-family residential rental facility consisting of 12 buildings located at 4803 Round Lake Road on approximately 28.44 acres of land, as well as the acquisition, construction and installation of various site improvements at the facility in an amount not to exceed \$17,005,000 (Willowbrook Apartments Project) (District 4)

SPECIAL ORDINANCE NO. 16, 1996 - amends S.O. No. 6, 1996 as it pertains to the definition of "Qualified Investments" contained in the Original Loan Agreement with respect to the previously-issued and outstanding \$7,000,000 City of Indianapolis Economic Development Revenue Bonds, Series 1996 A and B (Faris Avenue Limited Partnership Project), the proceeds of which were used to (i) finance the costs of the acquisition, renovation and equipping of the existing 352-unit multi-family residential facility located at 6875 Faris Avenue on approximately 22.11 acres of land, and (ii) the acquisition, construction and installation of various site improvements at the facility located at 6875 Faris Avenue (District 12)

SPECIAL RESOLUTION NO. 51, 1996 - remembers the life of Reverend Andrew J. Brown

SPECIAL RESOLUTION NO. 52, 1996 - amends S.R. No. 4, 1996 by extending the expiration date for the Archdiocese of Indianapolis through February 28, 1997 to proceed with the renovation, enlargement and refinancing of its educational facilities located in Indianapolis in an amount not to exceed \$60,000,000 (Districts throughout Marion County)

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1996 - an appropriation of \$700,000 for the Department of Public Works, Maintenance Operations Division, to pay for the removal of debris financed from the Solid Waste Collection Fund balances

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1996 - an appropriation of \$275,000 for the Department of Public Works, Solid Waste Administration, to pay for unanticipated overtime financed by a transfer within the division's Solid Waste Collection Fund

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 August 19, 1996. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 604, 1996. The proposal, sponsored by Councillors Hinkle and McClamroch, recognizes state high school golf champion Kevin Newell. Councillor Hinkle read the proposal and presented a copy of the document and a Council pin to Mr. Newell. Mr. Newell expressed his appreciation to the Council for this honor and introduced his coach, Bill Despres, and parents, Rick and Kay Newell. Councillors Golc and Short and Sheriff Jack Cottey congratulated Mr. Newell for his hard work and accomplishment. Councillor Hinkle moved, seconded by Councillor McClamroch, for adoption. Proposal No. 604, 1996 was adopted by a unanimous voice vote.

Proposal No. 604, 1996 was retitled SPECIAL RESOLUTION NO. 53, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1996

A SPECIAL RESOLUTION recognizing state high school golf champion Kevin Newell.

WHEREAS, the competition was keen as more than 2,000 students from over 350 high schools competed in the 1996 Indiana High School Athletic Association's golf tournament; and

WHEREAS, Ben Davis High School junior Kevin Newell shot a one-under-par 71 the first day and 72 the second, for a two day total of 143 for two 18-hole rounds of tournament play to win the individual championship contest at Prestwick Golf Course; and

WHEREAS, Ben Davis golf coach Bill Despres attributes Kevin's golfing proficiency to learning the game at a young age, strong support from his parents, a determined pursuit for excellence, his knowledge and love of the game and countless hours of practice; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Kevin Newell of Ben Davis High School for winning the 1996 state individual golf championship trophy.

SECTION 2. The son of Marion County Sheriff's Department deputy Rick Newell, Kevin is now a senior this year and is slated to co-captain the 1997 Ben Davis golf team.

SECTION 3. Ability, attitude and endless practice have all contributed to Kevin's Best-in-the-State status, and he stands as an inspiration to others to set only the highest goals for themselves.

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

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

PROPOSAL NO. 605, 1996. The proposal, sponsored by Councillors Hinkle, Cockrum, Golc, and Shambaugh, recognizes the Odyssey of the Mind competition state winning team from Wayne Township Schools. Councillor Hinkle read the proposal and presented copies of the document and Council pins to team members and coaches. Coach Judy Grubbs, team member Sammy Ellis, and teacher/advisor Kathy Sharp thanked the Council for this recognition. Councillor Hinkle moved, seconded by Councillor Golc, for adoption. Proposal No. 605, 1996 was adopted by a unanimous voice vote.

Proposal No. 605, 1996 was retitled SPECIAL RESOLUTION NO. 54, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1996

A SPECIAL RESOLUTION recognizing the Odyssey of the Mind competition state winning team from Wayne Township Schools.

WHEREAS, Odyssey of the Mind is a school program that teaches teamwork requiring students to learn to work together, make decisions and develop self-confidence to solve long term challenging issues, and to develop spontaneous solutions to problems during the contest, and

WHEREAS, the long term contest problem for the Wayne Township's Westlake Elementary School Team was to develop a humorous performance about an original "tall tale," and as a team to improvise solutions to various problems presented to them during each round of competition; and

WHEREAS, the Westside Indianapolis team which jelled together won the regionals at Seymour, captured the state title in their age division and placed well against teams from all over the world at the international finals on the Iowa State University campus; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Division 1 Odyssey of the Mind State Champion team from Wayne Township's Westlake Elementary School: Sammy Ellis, Kenny Grubbs, Jennifer Scott, Anand Shah, Robbie Rhinesmith, Katie Sleeman and Callah West; and their coaches Judy Grubbs and Kim West.

SECTION 2. To attend the World Finals, the team had to raise in excess of \$5,000 in less than three weeks, which was successfully accomplished by community support from the Wayne Township Foundation, the Clermont Lions Club, the Indy West Daybreakers Kiwanis Club, BMW Constructors, National Car Rental, three schools Parent-Teacher Organizations, and many other generous donors who saw this as a very worthwhile educational experience for the youths.

SECTION 3. Young people and schools have come under a certain amount of criticism lately, but contests like this, training and focus like this and youth like these suggest that much of the handwringing by some adults is unfounded.

SECTION 4. The council wishes each member of this winning Wayne Township team the very best of success in the years ahead.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 581, 1996. Introduced by Councillors Smith, McClamroch, Moores, and O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$27,956 for the Franklin Township Assessor to allow five full-time employees to reach the midpoint of their pay ranges financed from the County General Fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 582, 1996. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is a transfer of \$94,500 in the County General Fund for the Cooperative Extension Service to correct Fiscal Ordinance No. 68, 1996, which appropriated the funds in the wrong character"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 583, 1996. Introduced by Councillors Tilford, Jones, McClamroch, and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the Metropolitan Development Commission's determination that the Naval Air Warfare Center Economic Development Area is an economic development area pursuant to the Redevelopment Act"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 584, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code by changing leave benefits and hours worked by sworn firefighters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 585, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$2,350,000 for the County Sheriff to pay for renovation of the Service Supply Building to be used as a jail annex

financed by a grant from the United States Marshals Service"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 586, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$66,000 for the Marion County Superior Court to provide additional funds for the balance of 1996, financed by revenues in the Juvenile Probation Fees Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 587, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$39,000 for the Marion County Superior Court to fund Project Impact financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 588, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$22,500 for the Marion County Superior Court to fund a state grant for Big Sisters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 589, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$328,620 for the Prosecuting Attorney to continue the comprehensive traffic safety program financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 590, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$77,817 for the Prosecuting Attorney and County Auditor to continue a study compiling figures on people sentenced to specific programs after conviction of drunk driving offenses funded by a grant from the Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 591, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$175,000 for the Marion County Justice Agency to pay contractual data processing charges financed by a transfer within the Justice Agency's and County Auditor's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 592, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$263,880 for the Department of Public Safety, Emergency Management Division, to provide warning siren initiatives financed from revenues in the City Cumulative Capital Development Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 593, 1996. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Perry Lakes Subdivision (District 20)"; and the President referred it to the Capital Asset Management Committee.

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PROPOSAL NO. 594, 1996. Introduced by Councillors Coughenour and Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Edwards Avenue and State Avenue (Districts 20, 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 595, 1996. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 46th Street and McCoy Street (Districts 5, 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 596, 1996. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lexington Avenue and Pine Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 597, 1996. Withdrawn.

PROPOSAL NO. 598, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Midnight Drive and Tanning Drive, and at Tanning Drive and Timber Creek Drive (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 599, 1996. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in speed limit from 25 mph to 35 mph on 86th Street between Oaklandon Road and County Line Road (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 600, 1996. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on the south side of 13th Street from Delaware Street to a point 242 feet east of Delaware Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 601, 1996. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of parking restrictions on the west side of Hinesley Avenue from 46th Street to the first alley north of 46th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 602, 1996. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of the traffic signal located on Sherman Drive at Thomson Consumer Electronics Access Drive (800 N) (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 603, 1996. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which adopts public policy regulating commercial uses of the public rights-of-way by amending the Revised Code to add Chapter 645 which establishes procedures for the registration and franchising of such uses"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 606, 1996. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints James O. Dillard to the Speedway Library Board"; and the President referred it to the Municipal Corporations Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 607, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 3, 1996." The Council did not schedule Proposal No. 607, 1996 for hearing pursuant to IC 36-7-4-608. Proposal No. 607, 1996 was retitled REZONING ORDINANCE NO. 170, 1996 and is identified as follows:

REZONING ORDINANCE NO. 170, 1996. 96-Z-115
3655 SOUTH RURAL STREET (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24
RALPH CODDINGTON, by Michael J. Kias, requests a rezoning of 9.79 acres, being in the D-5II District, to the D-7 classification to provide for multifamily residential development.

PROPOSAL NOS. 608-620, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 3, 1996."

Councillor Borst made the following motion:

Mr. President:

I move that Proposal No. 608, 1996 (Rezoning Case 96-Z-74) be scheduled for a hearing before this Council at its next regular meeting on September 30, 1996 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Boyd asked the reasoning for the hearing. Councillor Borst stated that the building project was too large for the projected site and that neighbors were against this project. He added that he hoped to resolve the neighborhood issues during a preliminary conference and avoid a public hearing. Consent was given to schedule this proposal for a public hearing on September 30, 1996. Proposal No. 608, 1996 is identified as follows:

96-Z-74 (Amended/Amended) PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25.
6001 SOUTH HARDING STREET (approximate address), INDIANAPOLIS.
ROBERT D. YOUNG requests a REZONING of 0.81 acre, being in the D-A(FF) District, to the C-S(FF) classification to provide for the construction of a office/warehouse facility containing 5,500 square feet of building area.

The Council did not schedule Proposal Nos. 609-620, 1996 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 609-620, 1996 were retitled REZONING ORDINANCE NOS. 171-182, 1996 and are identified as follows:

REZONING ORDINANCE NO. 171, 1996. 96-CP-17Z (Amended)
3950 DIVISION STREET (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25
PREVENTIVE FLEET MAINTENANCE, by Cameron F. Clark, requests a rezoning of 1.01 acres, being in the D-3(FW) District, to the I-2-S(FW) classification to provide for a buffer strip for an existing fleet maintenance operation.

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REZONING ORDINANCE NO. 172, 1996. 96-Z-86 (96-DP-9)
9601 EAST RAWLES ROAD and 9602 EAST PROSPECT STREET (approximate address),
INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13
THE LEWIS GROUP, INC. requests a rezoning of 102.7 acres, being in the D-A(FF) and D-5 Districts,
to the D-P(FF) classification to provide for a planned unit development consisting of 289 single-family
residences.

REZONING ORDINANCE NO. 173, 1996. 96-Z-124 (96-DP-12)
11750, 11501 EAST 46TH STREET and 5201 NORTH GERMAN CHURCH ROAD (approximate
address), CITY OF LAWRENCE.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5
R.N. THOMPSON DEVELOPMENT CORPORATION and MARION HALL, by Raymond Good,
request a rezoning of 857 acres, being in the D-A District, to the D-P classification to provide for the
construction of a residential golf course development, consisting of single and multifamily residential
uses, neighborhood commercial retail, day care facility, self storage facility, fire station and recreational
amenities including an 18 hole golf course, pool and tennis facility.

REZONING ORDINANCE NO. 174, 1996. 96-Z-49
8155 OAKLANDON ROAD (approximate address), CITY OF LAWRENCE.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5.
MOST REVEREND DANIEL M. BUECHLEIN, ARCHBISHOP, ROMAN CATHOLIC
ARCHDIOCESE OF INDIANAPOLIS, by James L. Tuohy, requests a rezoning of 20 acres, being in
the D-I(FF) District, to the SU-I(FF) classification to provide for a church/school use and other related
activities.

REZONING ORDINANCE NO. 175, 1996. 96-Z-102 (Corrected)
4227 EAST 46TH STREET (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 11
22ND STREET CHURCH OF GOD IN CHRIST, requests a rezoning of 3.0 acres, being in the D-
2(FW)(FF) District, to the SU-I(FW)(FF) classification to provide for the construction of a church with
parking.

REZONING ORDINANCE NO. 176, 1996. 96-Z-119 (Amended)
4401 MOLLER ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9
JACK A. KESLER, by Michael D. Keele, requests a rezoning of 17.26 acres, being in the D-6(FF)(FW)
District, to the C-S (FF)(FW) classification to provide for the parking and storage of vehicles in
conjunction to an adjacent, existing automobile auction facility.

REZONING ORDINANCE NO. 177, 1996. 96-Z-131
9405 WHITLEY DRIVE (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #3
WESTEL-INDIANAPOLIS COMPANY d/b/a CELLULAR ONE, by James A.L. Buddenbaum,
requests a rezoning of 0.09 acre, being in the C-S District, to the C-S classification to provide for the
placement of a monopole, telecommunications tower being 110 feet in height and the construction of a
communications equipment building being 12 feet by 20 feet.

REZONING ORDINANCE NO. 178, 1996. 96-Z-132
449 SOUTH PENNSYLVANIA STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16
L.F.P., by David A. Shelton, requests a rezoning of 4.63 acres, being in the I-3-U(RC) District, to the
CBD-2(RC) classification to provide for an off-street commercial parking lot.

REZONING ORDINANCE NO. 179, 1996. 96-Z-133
4051 EASTERN AVENUE (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 11
AMERICAN CONSULTING ENGINEERS, INC., by John W. Van Buskirk, requests a rezoning of 0.2
acre, being in the D-5 District, to the C-I classification to provide for office use.

REZONING ORDINANCE NO. 180, 1996. 96-Z-134
10950 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

SIKH-SATSUNG OF INDIANAPOLIS, by David A. Retherford, requests a rezoning of 3.3 acres, being in the D-A(FW) District, to the SU-I(FW) classification to provide for religious use.

REZONING ORDINANCE NO. 181, 1996. 96-Z-137

8350 MATTHEWS ROAD (rear) (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

RAYMOND GIROUD, by William F. LeMond, requests a rezoning of 27.38 acres, being in the D-A District, to the D-3 classification to provide for the construction of a single-family residence by platting.

REZONING ORDINANCE NO. 182, 1996. 96-Z-140

6810 EAST 10TH STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

GETHSEMANE LUTHERAN CHURCH requests a rezoning of 5.994 acres, being in the D-2 District, to the SU-1 classification to legally establish an existing church use.

PROPOSAL NO. 621, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 30, 1996." The Council did not schedule Proposal No. 621, 1996 for hearing pursuant to IC 36-7-4-608. Proposal No. 621, 1996 was retitled REZONING ORDINANCE NO. 183, 1996 and is identified as follows:

REZONING ORDINANCE NO. 183, 1996. 95-Z-128 (A) (Amended)

45,47, AND 50 SOUTH MAIN STREET (approximate address) SOUTHPORT.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

LOWELL and FRANCES A. ENGLISH, by Michael J. Kias, request the rezoning of 0.49 acre, being in the D-3 District, to the C-4 classification to permit commercial uses and an antique mall in existing structures and additional buildings to be constructed.

PROPOSAL NO. 622, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 6, 1996." The Council did not schedule Proposal No. 622, 1996 for hearing pursuant to IC 36-7-4-608. Proposal No. 622, 1996 was retitled REZONING ORDINANCE NO. 184, 1996 and is identified as follows:

REZONING ORDINANCE NO. 184, 1996. 95-Z-77

907 EAST MICHIGAN STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22.

ACADEMY HOUSE, INC., by Vicki L. Anderson, requests the rezoning of 4.33 acres, being in the I-3-U (FF) District, to the C-S (FF) classification provide for the renovation of an existing four-story building for a mixed use commercial retail and office facility. Office uses to include interior design, architect, graphic art, art studio, manufacture representative and dental/medical. Retail uses to include uses typically permitted in the C-3 District, such as antique market, restaurant, small light fixture repair, bookstore, beauty shop, candle/gift shop, apparel shop, and flower store. The basement to be used for dead storage for the tenets.

PROPOSAL NO. 623, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 6, 1996." The Council did not schedule Proposal No. 623, 1996 for hearing pursuant to IC 36-7-4-608. Proposal No. 623, 1996 was retitled REZONING ORDINANCE NO. 185, 1996 and is identified as follows:

REZONING ORDINANCE NO. 185, 1996. 96-Z-117

7601 WEST 21st STREET and 1801 PELE PLACE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

September 9, 1996

CHAPEL ROCK CHRISTIAN CHURCH requests a rezoning of 13.061 acres, being in the D-A(FW) and I-2-S Districts, to the SU-I(FW) classification to provide for religious uses including educational purposes and athletic fields.

PROPOSAL NOS. 624-640, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 6, 1996." The Council did not schedule Proposal Nos. 624-640, 1996 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 624-640, 1996 were retitled REZONING ORDINANCE NOS. 186-202, 1996 and are identified as follows:

REZONING ORDINANCE NO. 186, 1996. 96-Z-142A
1725 SOUTH RACEWAY ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19
NATIONAL CREEK REALTY, LLC, by Mary E. Solada, requests a rezoning of 39.94 acres, being in the D-A(FF) District, to the I-3-S(FF) classification to provide for industrial development.

REZONING ORDINANCE NO. 187, 1996. 96-Z-142B
2301 SOUTH RACEWAY ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19
NATIONAL CREEK REALTY, LLC, by Mary E. Solada, requests a rezoning of 14.2 acres, being in the D-A(FF) District, to the I-2-S(FF) classification to provide for industrial development.

REZONING ORDINANCE NO. 188, 1996. 96-Z-78 (Amended)
401 SOUTH SUMMITCREST DRIVE a/k/a 6602 IDA STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18
THE BRADFORD GROUP, INC., by Stephen D. Mears, requests a rezoning of 79.83 acres, being in the D-A District, to the D-4 classification to provide for a residential development.

REZONING ORDINANCE NO. 189, 1996. 96-Z-139
650I COOPER ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1
CROSSMANN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests a rezoning of 60.27 acres, being in the D-A, and D-6II Districts, to the D-5 classification to provide for a residential development.

REZONING ORDINANCE NO. 190, 1996. 96-Z-148
437, 441, 447 NORTH FULTON and 434 NORTH DAVIDSON (approximate address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22
CITY OF INDIANAPOLIS, DEPARTMENT OF METROPOLITAN DEVELOPMENT, request the rezoning of 0.48 acres from the I-3-U District to the CBD-2 classification to conform to the recommendation of the Lockerbie Square Historic Area Plan and the existing use.

REZONING ORDINANCE NO. 191, 1996. 96-Z-135A (Amended)
481I SOUTH HIGH SCHOOL ROAD and 620I MOORESVILLE ROAD (approximate address), INDIANAPOLIS.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19
GUTHRIE BUILDING MATERIALS, INC., GUTHRIE DEVELOPMENT CORPORATION, RICHARD B. GUTHRIE, by Mitch Sever, requests a rezoning of 2.5 acres, being in the D-3(FF) and C-5(FF) Districts, to the C-7(FF) classification to provide for commercial development which may include the relocation of a home improvement center with the addition of mini-warehouses.

REZONING ORDINANCE NO. 192, 1996. 96-Z-135B (Amended)
481I SOUTH HIGH SCHOOL ROAD and 620I MOORESVILLE ROAD (approximate address), INDIANAPOLIS.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19
GUTHRIE BUILDING MATERIALS, INC., GUTHRIE DEVELOPMENT CORPORATION, RICHARD B. GUTHRIE, by Mitch Sever, requests a rezoning of 1.04 acres, being in the D-3(FF) Districts, to the C-4(FF) classification to provide for commercial development which may include the relocation of a home improvement center with the addition of mini-warehouses.

REZONING ORDINANCE NO. 193, 1996. 96-Z-136
5510 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23
2ND MANAGEMENT, by Raymond Good, requests a rezoning of 10.40 acres, being in the D-A(FW) District, to the D-5I(FW) classification to provide for residential development which may include the construction of a senior adult residential subdivision consisting of 28 lots being developed with two-family residences.

REZONING ORDINANCE NO. 194, 1996. 96-Z-146
2975 DR. MARTIN LUTHER KING JR. STREET and 709-721 WEST 30TH STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.42 acre, being in the C-4 and D-5 Districts, to the C-4 classification to conform the existing use to the zoning classification and the United Northwest Area Plan (1981).

REZONING ORDINANCE NO. 195, 1996. 96-Z-147
10602-10614 EAST 25TH STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 5
DONALD E. HILL, by Mitch Sever, requests a rezoning of 32 acres, being in the SU-2 (FF)(FW) District, to the SU-3 (FF)(FW) classification to provide for a golf course and driving range with accessory facilities.

REZONING ORDINANCE NO. 196, 1996. 96-Z-149 (Amended)
450 WEST OHIO STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16
INDIANA HISTORICAL SOCIETY requests a rezoning of 1.92 acres, being in the UQ-1(RC) District, to the CBD-2 (RC) classification to provide for commercial retail, office, residential and public uses including the state headquarters for a historic society.

REZONING ORDINANCE NO. 197, 1996. 96-Z-150
4845 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 23
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 1.0 acre, being in the D-3 District, to the C-3 classification to provide for the correction of a mapping error.

REZONING ORDINANCE NO. 198, 1996. 96-Z-151
3702 WEST MINNESOTA STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17
KNIGHT TRANSPORTATION, INC., by David A. Shelton, requests a rezoning of 7.43 acres, being in the C-7 District, to the I-4-U classification to provide for an industrial development.

REZONING ORDINANCE NO. 199, 1996. 96-Z-152
2910 WEST MINNESOTA STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17
T&N, L.P., by David A. Shelton, requests a rezoning of 12.055 acres, being in the C-7, D-5 and D-11 Districts, to the C-ID classification to provide for the continued operation and expansion of a general contractor and excavation business.

REZONING ORDINANCE NO. 200, 1996. 96-Z-153
2551 NORTH EMERSON AVENUE (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10
AMOCO OIL COMPANY, by Stephen D. Mears, requests a rezoning of 1.54 acres, being in the C-4 and I-2-U Districts, to the C-4 classification to provide for commercial development including the construction of a convenience store/ gasoline service pumps and restaurant.

REZONING ORDINANCE NO. 201, 1996. 96-Z-154
3892 WEST 62ND STREET (rear) (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9
DAVIS HOMES, LLC, by Thomas Michael Quinn, requests a rezoning of 3.187 acres, being in the SU-9(FF)(FW) District, to the D-3(FF)(FW) classification to provide for the construction of a single-family residential development.

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REZONING ORDINANCE NO. 202, 1996. 96-CP-23Z (96-DP-7)
5950 WEST 52ND STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1
DON STAFFORD, by J. Murray Clark, requests a rezoning of 40 acres, being in the D-A and SU-43
Districts, to the D-P classification to provide for a planned unit development consisting of 124 lots for
single-family residences and 150 multi-family units.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 309, 1996. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 309, 1996 on several occasions. The proposal is an appropriation of \$785,327 for various County agencies to pay Information Service Agency charges financed by transfers of \$576,806 within certain agencies' County General Fund and an appropriation of \$208,521 from the County General Fund balances. Councillor Schneider moved, seconded by Councillor Dowden, to postpone Proposal No. 309, 1996 until September 30, 1996. Proposal No. 309, 1996 was postponed by a unanimous voice vote.

PROPOSAL NO. 476, 1996. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 47, 1996 on August 22, 1996. The proposal is an appropriation of \$123,333 for the Department of Parks and Recreation to enter into a long-term partnership agreement with the City of Lawrence to provide an enhanced and comprehensive array of parks and recreation services to the citizens of northeast Marion County financed by the unappropriated and unencumbered Parks General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be tabled. Councillor Shambaugh moved, seconded by Councillor Coonrod, to table. Proposal No. 476, 1996 was tabled by a unanimous voice vote.

PROPOSAL NO. 527, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 527, 1996 on August 28, 1996. The proposal is an appropriation of \$294,000 in the County Correction Fund for the County Sheriff, Marion County Justice Agency, Community Corrections, and County Auditor to continue providing diversion programs for misdemeanor populations from State penal facilities. By an 8-0 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 7:35 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 527, 1996, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Golc

Proposal No. 527, 1996, as amended, was retitled FISCAL ORDINANCE NO. 83, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Hundred Ninety-four Thousand Dollars (\$294,000) in the County Corrections Fund for purposes of the County Sheriff, Marion County Justice Agency, Community Corrections and County Auditor and reducing the unappropriated and unencumbered balance in the County Correction 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 (y,bb,z,b) 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 Sheriff, Marion County Justice Agency, Community Corrections and County Auditor to continue providing diversion programs for misdemeanant populations.

SECTION 2. The sum of Two Hundred and Ninety four Thousand Dollars (\$294,000) 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>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY CORRECTION FUND</u>
1. Personal Services	16,000
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	4,000
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	179,319
<u>COMMUNITY CORRECTIONS</u>	
3. Other Services and Charges	<u>94,681</u>
TOTAL INCREASE	294,000

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

	<u>COUNTY CORRECTION FUND</u>
Unappropriated and Unencumbered	
County Correction Fund	<u>294,000</u>
TOTAL REDUCTION	294,000

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

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

PROPOSAL NO. 556, 1996. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 556, 1996 on August 22, 1996. The proposal is an appropriation of \$4,000,000 for the Department of Parks and Recreation to make capital improvements at Garfield Park financed by a grant from Lilly Endowment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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The President called for public testimony at 7:36 p.m. There being no one present to testify, Councillor Shambaugh moved, seconded by Councillor O'Dell, for adoption. Proposal No. 556, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, 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, Tilford, Williams
0 NAYS:
1 NOT VOTING: Talley

Proposal No. 556, 1996 was retitled FISCAL ORDINANCE NO. 84, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Four Million Dollars (\$4,000,000) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01.(o) 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 Parks and Recreation for capital improvements in Garfield Park.

SECTION 2. The sum of an additional Four Million Dollars (\$4,000,000) 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 PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	422,000
4. Capital Outlay	<u>3,578,000</u>
TOTAL INCREASE	4,000,000

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>4,000,000</u>
TOTAL REDUCTION	4,000,000

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

PROPOSAL NO. 557, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 557, 1996 on August 26, 1996. The proposal is an appropriation of \$724,123 for the Department of Metropolitan Development, Division of Planning, to support reuse planning and research activities at Naval Air Warfare Center financed by revenues in the Consolidated County and Federal Grants Funds. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. The President stated that this facility was a gem for the community and these new uses would make a big difference in the technology future of this city.

The President called for public testimony at 7:40 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 557, 1996 was adopted on the following roll call vote; viz:

29 YEAS: Black, 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:

Proposal No. 557, 1996 was retitled FISCAL ORDINANCE NO. 85, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Four Hundred Forty-nine Thousand One Hundred Twenty-three Dollars (\$449,123) in the Federal Grants Fund and Two Hundred Seventy-five Thousand Dollars (\$275,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Planning and reducing the unappropriated and unencumbered balance in the Consolidated County and Federal Grants 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 (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, Division of Planning, to support reuse planning and research activities at Naval Air Warfare Center.

SECTION 2. The sum of Seven Hundred Twenty-four Thousand One Hundred Twenty-three Dollars (\$724,123) 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>DIVISION OF PLANNING</u>		<u>CONSOLIDATED COUNTY FUND</u>
3. Other Charges and Services		275,000
 <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>		
<u>DIVISION OF PLANNING</u>		<u>FEDERAL GRANTS FUND</u>
3. Other Charges and Services		449,123
 TOTAL INCREASE		 724,123

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	275,000
TOTAL REDUCTION	275,000
	 <u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	449,123
TOTAL REDUCTION	449,123

September 9, 1996

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

PROPOSAL NO. 558, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 558, 1996 on August 22, 1996. The proposal is an appropriation of \$2,326 for the Prosecuting Attorney to train deputy prosecutors and advocates in victim ideology with emphasis on family violence and sexual assault financed by a state grant. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Boyd asked for a definition of victim ideology. Councillor Dowden explained that the training would allow personnel to be sensitive to the reaction of victims of abuse and how to relate to these victims.

The President called for public testimony at 7:43 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 558, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, 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 NOT VOTING: Boyd

Proposal No. 558, 1996 was retitled FISCAL ORDINANCE NO. 86, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Thousand Three Hundred and Twenty-six Dollars (\$2,326) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (v) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to train Deputy Prosecutors and advocates in victim ideology with emphasis on family violence and sexual assault, those trained will become a training team and education forum.

SECTION 2. The sum of Two Thousand Three Hundred and Twenty-six Dollars (\$2,326.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	2,326
TOTAL INCREASE	2,326

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	2,326
TOTAL REDUCTION	2,326

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

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

PROPOSAL NO. 559, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 559, 1996 on August 22, 1996. The proposal is an appropriation of \$89,957 for the Prosecuting Attorney to fund the continuation of an Adult Protective Services Unit serving Marion, Hamilton, Hancock, and Boone Counties financed by state and federal grants. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:45 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 559, 1996 was adopted on the following roll call vote; viz:

29 YEAS: Black, 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:

Proposal No. 559, 1996 was retitled FISCAL ORDINANCE NO. 87, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Eighty-nine Thousand, Nine Hundred and Fifty-seven Dollars (\$89,957) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b,v) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to fund the continuation of an Adult Protective Services Unit serving Marion, Hamilton, Hancock and Boone Counties.

SECTION 2. The sum of Eighty nine Thousand, Nine Hundred and Fifty seven Dollars (\$89,957) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	69,966
4. Capital Outlay	2,500

September 9, 1996

COUNTY AUDITOR

1. Personal Services - Fringes	17,491
TOTAL INCREASE	89,957

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

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered State and Federal Grants Fund	89,957
TOTAL REDUCTION	89,957

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

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 560 and 561, 1996 on August 22, 1996, and asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 560, 1996. The proposal is an appropriation of \$19,743 in the State and Federal Grants Fund for the Marion County Public Defender Agency, Prosecuting Attorney, Marion County Superior Court, and County Auditor to restore the six percent decrease in the original award for the expedited trial grant that was a result of the federal budget not being approved on the date of the original grant award. PROPOSAL NO. 561, 1996. The proposal is an appropriation of \$3,744 in the State and Federal Grants Fund for the Marion County Public Defender Agency and County Auditor to restore the six percent decrease in the original award of the alternative sentencing grant that was a result of the federal budget not being approved on the date of the original grant award. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 7:47 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 560 and 561, 1996 were adopted on the following roll call vote; viz:

29 YEAS: Black, 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:

Proposal No. 560, 1996 was retitled FISCAL ORDINANCE NO. 88, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Nineteen Thousand Seven Hundred Forty-three Dollars (\$19,743) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency, Prosecuting Attorney, Marion County Superior Court, and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b, u, v, cc) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency, Prosecuting Attorney, Marion County Superior Court, and County Auditor to continue an expedited trial program.

SECTION 2. The sum of Nineteen Thousand Seven Hundred Forty-three Dollars (\$19,743) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. Personal Services	5,265
<u>PROSECUTING ATTORNEY</u>	
I. Personal Services	5,265
<u>MARION COUNTY SUPERIOR COURT</u>	
I. Personal Services	5,265
<u>COUNTY AUDITOR</u>	
I. Personal Services (Fringes)	3,948
TOTAL INCREASE	19,743

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	19,743
TOTAL REDUCTION	19,743

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

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

Proposal No. 561, 1996 was retitled FISCAL ORDINANCE NO. 89, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 89, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Three Thousand Seven Hundred Forty-four Dollars (\$3,744) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b, u) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency and County Auditor to continue an alternative sentencing program.

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SECTION 2. The sum of Three Thousand Seven Hundred Forty-four Dollars (\$3,744) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	1,935
3. Other Services and Charges	1,455
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	<u>354</u>
TOTAL INCREASE	3,744

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>3,744</u>
TOTAL REDUCTION	3,744

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

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

PROPOSAL NO. 562, 1996. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 562, 1996 on August 22, 1996. The proposal is an appropriation of \$318,874 to provide funding for training and anti-gang initiatives for the Department of Public Safety, Police Division, financed by a federal grant. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray asked if this funding could also be used for investigating gangs within the Police Department. The President stated that this would require a legal decision.

The President called for public testimony at 7:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 562, 1996 was adopted on the following roll call vote; viz:

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

Councillors Moriarty Adams and Moores stated that they had abstained to avoid an appearance of a conflict of interest.

Proposal No. 562, 1996 was retitled FISCAL ORDINANCE NO. 90, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 90, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Three Hundred Eighteen Thousand Eight Hundred Seventy-four Dollars (\$318,874) 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 to provide training and Anti-Gang initiatives.

SECTION 2. The sum of Three Hundred Eighteen Thousand Eight Hundred Seventy-four Dollars (\$318,874) 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>FEDERAL GRANTS FUND</u>
<u>POLICE DIVISION</u>	
1. Personal Services	164,736
2. Supplies	3,750
3. Other Charges and Services	125,388
4. Capital Outlay	<u>25,000</u>
TOTAL INCREASE	318,874

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>318,874</u>
TOTAL REDUCTION	318,874

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

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 523, 1996. Councillor Schneider stated that the Administration and Finance Committee heard Proposal No. 523, 1996 on August 20, 1996. The proposal, sponsored by Councillor Franklin, amends the Code and the Revised Code by replacing the licensure of various business activities with a system of registrations and removes the requirement of annual fees and renewal applications. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Franklin moved to return Proposal No. 523, 1996 to Committee to allow for more public comment due to some new concerns by neighborhood constituents and other Councillors. Councillor Talley seconded, and Proposal No. 523, 1996 was returned to Committee by a unanimous voice vote.

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The President asked if there was a meeting date that would accommodate a public forum. Councillor Schneider stated that the forum would have to be scheduled after budget discussions had been completed, and that he would inform Councillor Franklin of a suitable meeting date.

NEW BUSINESS

General Counsel Robert Elrod read the following announcement:

This Council will hold a public hearing on Rezoning Petition No. 96-Z-74 (Amended), Council Proposal No. 608, 1996, at its next regular meeting on September 30, 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 0.81 acres at 6001 South Harding Street from D-A (FF) to C-S (FF) to provide for the construction of an office/warehouse facility containing 5,500 square feet of building area.

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 Councillor Hinkle in memory of Jerry Hughett.

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 Jerry Hughett. 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 family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:02 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of September, 1996.

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



President



Clerk of the Council

ATTEST:

(SEAL)