

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

**REGULAR MEETINGS  
MONDAY, JUNE 9, 1997**

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 7:20 p.m. on Monday, June 9, 1997, with Councillor SerVaas presiding.

Councillor Schneider 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*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Massie recognized Mark Herrington of the Southport Town Council. Councillor Borst acknowledged State Representatives Bill Crawford and Larry Buell and Senator Glenn Howard. Councillor Golc recognized John Kish, Executive Director of the White River State Park Commission. Councillor Schneider acknowledged John McGoff, County Coroner.

**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, June 9, 1997, 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

May 20, 1997

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 *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, May 23, 1997, a copy of a Notice of Public Hearing on Proposal Nos. 308, 309, 311-319, and 341, 1997, said hearing to be held on Monday, June 9, 1997, at 7:00 p.m. in the City-County Building.

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

May 29, 1997

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 *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Wednesday, June 4, 1997, a copy of a Legal Notice of General Ordinance Nos. 79-81, 1997.

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

May 23, 1997

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. 37, 1997 - approves an increase of \$2,000 in the Marion County Superior Court, Juvenile Division's 1997 Budget (State and Federal Grants Fund) to fund HIV prevention education activities for the Juvenile Detention Center funded by a grant from the Indiana Department of Education

FISCAL ORDINANCE NO. 38, 1997 - an increase of \$4,650,000 from the Consolidated County Fund to the United Airlines Inc. Debt Service Fund as part of the "Plan 2000" funding program

FISCAL ORDINANCE NO. 39, 1997 - approves an increase of \$54,500 in the 1997 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to renew the Regional Gang Interdiction Program in coordination with Johnson County funded by a grant from the Indiana Criminal Justice Institute

June 9, 1997

FISCAL ORDINANCE NO. 40, 1997 - approves an increase of \$445,140 in the 1997 Budgets of the County Auditor and Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 41, 1997 - approves an increase of \$15,514 in the 1997 Budget of the Community Corrections Agency (Home Detention User Fee Fund) to cover changes in staffing and compensation levels financed by fund balances

GENERAL ORDINANCE NO. 78, 1997 - amends the Revised Code concerning the housing board

GENERAL ORDINANCE NO. 79, 1997 - amends Sec. 961-303 of the Revised Code to reconcile the Controller's right to redraw vending cart districts with the vendor's right to "lock-in" his or her assigned zone for an additional year

GENERAL ORDINANCE NO. 80, 1997 - establishes a fee schedule for copies of public records made by city and county agencies and departments

GENERAL ORDINANCE NO. 81, 1997 - recodifies and clarifies the provisions for dance permits and licenses, adds a requirement for general premises liability insurance, and reduces the fee for dance licenses

SPECIAL ORDINANCE NO. 6, 1997 - authorizes the issuance of economic development revenue bonds in an amount not to exceed \$2,400,000 to proceed with the construction and acquisition of machinery, equipment, and other fixtures to be used in the manufacturing of aluminum sulfate and marketing of various other water treatment chemicals and chemical storage systems to be located at 1600 South Senate Avenue (GenAl. LLC Project) (District 25)

SPECIAL ORDINANCE NO. 7, 1997 - authorizes the issuance of economic development revenue bonds in an amount not to exceed \$1,700,000 to enable Fall Creek Retail Center, Inc. to proceed with the acquisition, rehabilitation, and equipping of a 26,500 square foot enterprise community retail center to be located at 2500 North Capitol Avenue (Fall Creek Retail Center, Inc. Project) (District 22)

SPECIAL ORDINANCE NO. 8, 1997 - authorizes the issuance of economic development revenue bonds in an amount not to exceed \$5,000,000 to enable Summit Place West, Inc. to proceed with the construction and equipping of a 60-unit assisted living facility to be located at 6418 Rockville Road (Summit Place West, Inc. Project) (District 18)

SPECIAL RESOLUTION NO. 35, 1997 - concerns Municipal Government Week activities in Indianapolis

SPECIAL RESOLUTION NO. 36, 1997 - recognizes Dr. Patrick Michael Conneally

SPECIAL RESOLUTION NO. 37, 1997 - recognizes Deputy Chief Billy G. Romeril

SPECIAL RESOLUTION NO. 38, 1997 - recognizes 41-year IPD Veteran Lt. Paul Sherron

SPECIAL RESOLUTION NO. 39, 1997 - recognizes the public service of Donald Riggins

SPECIAL RESOLUTION NO. 40, 1997 - concerns missing American servicemen

SPECIAL RESOLUTION NO. 41, 1997 - congratulates Ben Davis High School football coach Richard L. Dullaghan for being inducted into the Indiana Football Hall of Fame

SPECIAL RESOLUTION NO. 42, 1997 - recognizes the 170th anniversary of New Bethel Baptist Church in Franklin Township

SPECIAL RESOLUTION NO. 43, 1997 - amends S.R. 70, 1996, by extending the expiration date for Killion Corporation or Thomas W. Killion, individually, through November 30, 1997, to be located at 7901 West 21st Street (Killion Corporation Project) (District 18)

SPECIAL RESOLUTION NO. 44, 1997 - approves a public purpose grant in the amount of \$65,505 to Indiana University for the purpose of purchasing equipment to be used to establish the operation of a shared educational access and Department of Public Safety cable television channel in Marion County

Respectfully,  
s/Stephen Goldsmith, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Councillor Borst made the following motion:

Mr. President:

I move reconsideration of the motion made at the last meeting to postpone Proposal Nos. 276, 277, and 278, 1997, until June 23.

Councillor Short seconded the motion, and the motion carried by a unanimous voice vote.

The President called for a vote on the motion to postpone Proposal Nos. 276, 277, and 278, 1997 until June 23. The motion to postpone failed by a voice vote.

Councillor McClamroch made the following motion:

Mr. President:

I move that Proposal Nos. 276, 277, and 278, 1997 be made special orders of business as listed in the agenda as distributed and that the agenda be adopted.

Councillor Short seconded the motion, and the motion carried by a unanimous voice vote. Without further amendment or objection, the agenda was adopted.

Councillor Curry stated that technical amendments need to be made to the proposals to change House and Senate Enrolled Act numbers, the type of Session in which the State Legislature approved the increases, and the effective date of the proposals. He moved, seconded by Councillor Gilmer, to amend Proposal Nos. 276, 277, and 278, 1997. Proposal Nos. 276, 277, and 278, 1997 were amended by a unanimous voice vote.

Councillor Curry reported that the Rules and Public Policy Committee heard Proposal Nos. 276, 277, and 278, 1997 on April 29, 1997. By 6-1 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 276, 1997. The proposal, sponsored by Councillors Borst and Short, imposes the county supplemental auto rental excise tax. PROPOSAL NO. 277, 1997. The proposal, sponsored by Councillors Borst and Short, increases the county innkeeper's tax from 5% to 6%. PROPOSAL NO. 278, 1997. The proposal, sponsored by Councillors Borst and Short, allows an expansion of the local excise tax known as the county admissions tax.

Councillor Borst thanked the Council for allowing these proposals to be reconsidered. He stated that several businesses were awaiting the outcome of these votes due to changes that would be needed in their operations if the proposals are passed. He reiterated his reasons for sponsoring these proposals. He thanked Governor Frank O'Bannon, Mayor Steve Goldsmith, the Indiana General Assembly, State Representatives Crawford, Murphy, and Buell, and Senators Howard and Borst.

Councillor Talley stated that he is in support of these proposals which transcend party politics and personalities.

Councillor Williams stated that because it is not a general tax increase, she is in favor of Proposal No. 277, 1997, because of the need for a convention center expansion. She added that the projects for the Colts and Pacers projects are not in place yet, and that the increases from Proposal Nos. 276 and 278, 1997 are increases that are too general in nature for her support.

The President stated that risks often need to be taken, and that the Colts and Pacers projects are certainly viable. He stated that if these projects were eliminated and do not go forward, the tax could be rescinded or the income from these taxes could be used for bond issues or other worthwhile projects.

Councillor Borst stated that the City does not know all of the needs surrounding these monies right now, but that the income will be used for good causes to the good of the community and will not be wasted. He added that Lilly Endowment should also be thanked for their contributions to these projects.

Councillor Golc asked if taxes could actually be rescinded if these projects did not come to fruition. The President stated that in his time on the Council he has never seen a situation when the money was raised for a project that did not take place. All of the projects were completed utilizing the funds.

Councillor Boyd stated that he originally dissented regarding these proposals because he had not had sufficient information or response from constituents. He added that although the responses from constituents have shown many in support and many in opposition, more taxpayers in his district seem to support it, and therefore he will be voting in favor of these proposals.

Councillor Gilmer stated that passage of these proposals will allow the City to continue with a reputation as a sports capital, and that he is in support of this direction.

Councillor Short stated that as co-sponsor of these proposals, he believes this is a good direction for the City and its citizens. He stated that Proposal No. 277, 1997 creates good jobs and helps to continue the growth of a vital industry in this City.

The President stated that Proposal No. 277, 1997 requires a two-third majority vote for passage.

Councillor Borst moved, seconded by Councillor Short, for adoption of Proposal Nos. 276, 277, and 278, 1997, as amended.

Proposal No. 276, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 276, 1997, as amended, was retitled GENERAL ORDINANCE NO. 82, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1997

A GENERAL ORDINANCE imposing an excise tax to be known as the county supplemental auto rental excise tax.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), finds that for the City of Indianapolis, Indiana (the "City"), to remain competitive in the convention and trade show industry, the Indiana Convention Center and RCA Dome (the "Convention Center") must be expanded; and

WHEREAS, the Marion County Capital Improvement Board of Managers (the "CIB") has proposed a plan for a multi-purpose expansion of the Convention Center to provide additional meeting, exhibit and support facility space (the "Convention Center Expansion Project"); and

WHEREAS, the Council finds that many economic and intangible benefits will accrue from the proposed facilities; and

WHEREAS, S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly provides a means of contributing to the financing of the Convention Center Expansion Project by allowing the local imposition of an excise tax, to be known as the county supplemental auto rental excise tax; now, therefore:

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and hereby is amended by adding a new Section 121-203 to read in its entirety as follows:

Sec. 121-203. County Supplemental Auto Rental Excise Tax.

The county supplemental auto rental excise tax as provided in IC 6-6-9.5 9.7 (as added by H.E.A. 1177 S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly) is hereby adopted by the City-County Council for and on behalf of Marion County, and said tax is hereby imposed on those transactions described in IC 6-6-9.5 9.7 which transactions occur after June 30, 1997. The county supplemental auto rental excise tax shall expire on December 31, 2027.

SECTION 2. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Section 126-452, to read in its entirety as follows:

CHAPTER 126. BORROWING  
ARTICLE IV. MUNICIPAL CORPORATIONS  
DIVISION 5. CAPITAL IMPROVEMENTS BOARD

Sec. 126-452. Covenants With Bondholders.

The City-County Council covenants with the purchasers of any bonds or notes issued pursuant to IC 18-4-17 (before its repeal on September 1, 1981), IC 36-10-9 or IC 36-10-9.1, that the taxes imposed by section 121-201, section 121-202 and section 121-203 and pledged to the payment of these bonds or notes shall not be repealed, amended or altered in any manner that would reduce or adversely affect the levy and collection of such taxes, or reduce the rates or amounts of such taxes, so long as the principal of, or interest on, any such bonds or notes is unpaid. For purposes of the foregoing, the principal of, or interest on, bonds or notes shall be considered paid if provision has been made for their payment in such a manner that the bonds or notes are not considered to be outstanding under the provisions of the resolution, ordinance or trust agreement pursuant to which the bonds or notes are issued.

SECTION 3. Section 2-504 of the Code of Indianapolis and Marion County is hereby superseded and repealed.

SECTION 4. Pursuant to H.E.A. 1177 S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly, the Clerk of the Council shall immediately send a certified copy of this ordinance to the Commissioner of the Department of State Revenue.

June 9, 1997

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

Proposal No. 277, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 277, 1997, as amended, was retitled GENERAL ORDINANCE NO. 83, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1997

A GENERAL ORDINANCE increasing an excise tax known as the county innkeeper's tax.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), finds that for the City of Indianapolis, Indiana (the "City"), to remain competitive in the convention and trade show industry, the Indiana Convention Center and RCA Dome (the "Convention Center") must be expanded; and

WHEREAS, the Marion County Capital Improvement Board of Managers (the "CIB") has proposed a plan for a multi-purpose expansion of the Convention Center to provide additional meeting, exhibit and support facility space (the "Convention Center Expansion Project"); and

WHEREAS, the Council finds that many economic and intangible benefits will accrue from the proposed facilities; and

WHEREAS, S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly provides a means of contributing to the financing of the Convention Center Expansion Project by amending Indiana Code 6-9-8 to allow an increase of an excise tax, known as the county innkeeper's tax; now, therefore:

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and hereby is amended by adding a new Section 121-204 to read in its entirety as follows:

Sec. 121-204. County Innkeeper's Tax.

The county innkeeper's tax imposed by section 2 of IC 6-9-8 (as amended by S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly) is hereby increased from five percent (5%) to six percent (6%). This increase shall expire on January 1, 2028.

SECTION 2. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Section 126-452, to read in its entirety as follows:

CHAPTER 126. BORROWING  
ARTICLE IV. MUNICIPAL CORPORATIONS  
DIVISION 5. CAPITAL IMPROVEMENTS BOARD

Sec. 126-452. Covenants With Bondholders.

The City-County Council covenants with the purchasers of any bonds or notes issued pursuant to IC 18-4-17 (before its repeal on September 1, 1981), IC 36-10-9 or IC 36-10-9.1, that the taxes imposed by section 121-201, section 121-202, section 121-203 and section 121-204 and pledged to the payment of these bonds or notes shall not be repealed, amended or altered in any manner that would reduce or adversely affect the levy and collection of such taxes, or reduce the rates or amounts of such taxes, so long as the principal of, or interest on, any such bonds or notes is unpaid. For purposes of the

foregoing, the principal of, or interest on, bonds or notes shall be considered paid if provision has been made for their payment in such a manner that the bonds or notes are not considered to be outstanding under the provisions of the resolution, ordinance or trust agreement pursuant to which the bonds or notes are issued.

SECTION 3. Section 2-504 of the Code of Indianapolis and Marion County is hereby superseded and repealed.

SECTION 4. The Clerk of the Council shall immediately send a certified copy of this ordinance to the Commissioner of the Department of State Revenue.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

Proposal No. 278, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 278, 1997, as amended, was retitled GENERAL ORDINANCE NO. 84, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1997

A GENERAL ORDINANCE amending the excise tax known as the county admissions tax.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), finds that when Market Square Arena opened in 1974, it was one of the largest professional sports arenas in the United States; however, since that time, it has been placed at a competitive disadvantage to other states and cities which have built new centers or arenas or have expanded their existing buildings; and

WHEREAS, the Council also finds that for the City of Indianapolis, Indiana (the "City"), to retain professional basketball, a new sports arena must be constructed which will allow the City to remain competitive with other states and cities which have built centers or arenas or have expanded their existing buildings; and

WHEREAS, the Marion County Capital Improvement Board of Managers (the "CIB") has proposed a plan for a new sports arena for amateur and professional sporting events (the "Sports Arena Project") which will allow the City to remain competitive with other states and cities which have built centers or arenas or have expanded their existing buildings; and

WHEREAS, the Council finds that many economic and intangible benefits will accrue from the proposed facilities; and

WHEREAS, S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly provides a means of contributing to the financing of the Sports Arena Project by amending Indiana Code 6-9-13 to allow an increase in the local imposition of an excise tax, known as the county admissions tax; now, therefore:

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby, amended to recodify specifically, Division 4, Article XI, Section 2-502, to read in its entirety as follows:



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CHATER 121. TAXATION  
ARTICLE II. SPECIAL TAXES

Sec. 121-202. County Admissions Tax.

(a) Before July 1, 1997, the county admissions tax as provided in IC 6-9-13 (as added by H.E.A. 1639 of the 1981 Regular Session of the Indiana General Assembly) is hereby adopted by the City-County Council for and on behalf of Marion County, and said tax is hereby imposed on the privilege of attending any professional sporting event held in a facility financed in whole or in part by bonds or notes issued under IC 18-4-17 (before its repeal on September 1, 1981), IC 36-10-9 or IC 36-10-9.1 and applies as provided in IC 6-9-13 to admissions charges collected after June 30, 1981 and before July 1, 1997.

(b) After June 30, 1997, the county admissions tax as provided in IC 6-9-13 (as added by H.E.A. 1639 of the 1981 Regular Session of the Indiana General Assembly, as amended by S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly ) is hereby adopted by the City-County Council for and on behalf of Marion County, and said tax is hereby imposed on the privilege of attending, before January 1, 2028, any event and, after December 31, 2027, any professional sporting event, held in a facility financed in whole or in part by bonds or notes issued under IC 18-4-17 (before its repeal on September 1, 1981), IC 36-10-9 or IC 36-10-9.1 and applies as provided in IC 6-9-13 to admission charges collected after June 30, 1997. The county admissions tax does not apply to the following: (1) an event sponsored by an educational institution or an association representing an educational institution; (2) an event sponsored by a religious organization; or (3) an event sponsored by an organization that is considered a charitable organization by the Internal Revenue Service for federal tax purposes.

SECTION 2. Section 2-502 of the Code of Indianapolis and Marion County is hereby superseded and repealed.

SECTION 3. Pursuant to S.E.A. 004(ss) of the 1997 Special Session of the Indiana General Assembly, the Clerk of the Council shall immediately send a certified copy of this ordinance to the Commissioner of the Department of State Revenue.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

**APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of May 19, 1997. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 371, 1997. The proposal, sponsored by Councillor Moores, recognizes IPD-East Accident Investigator LaVerne Sanborn for receiving the Ruthann Popcheff Memorial Award for compassion to crime victims. Councillor Moores read the proposal and presented Lt. Sanborn with a copy of the document and a Council pin. Councillor Coughenour stated that she knew Ms. Popcheff and that an award in her name is a great honor to bestow upon anyone. Councillor Moores moved, seconded by Councillor Coughenour, for adoption. Proposal No. 371, 1997 was adopted by a unanimous voice vote.

Proposal No. 371, 1997 was retitled SPECIAL RESOLUTION NO. 45, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1997

A SPECIAL RESOLUTION recognizing IPD-East Accident Investigator LaVerne Sanborn for receiving the Ruthann Popcheff Memorial Award for compassion to crime victims.

WHEREAS, the Ruthann Popcheff Memorial Award is an annual award given by the Victim Assistance Unit of the Indianapolis Police Department to a sworn officer who treats people every day with exceptional dignity, compassion and respect; and

WHEREAS, the award, originally called the Victims Rights Week Award, was renamed the Ruthann Popcheff Memorial Award in 1986 in memory of Popcheff who worked hard for victims rights; and

WHEREAS, LaVerne Sanborn of IPD's East District was selected from 21 IPD officers who were nominated for the award; and

WHEREAS, Officer Sanborn, a 28-year veteran of the force, has an endless list of accomplishments and kindness displayed in the routine manner in which she treats victims—checking on families, visiting hospitals, finding assistance, collecting clothes and Christmas presents for children; and

WHEREAS, having suffered losses of her own family and friends in accidents, Sanborn feels a keen empathy for those she attends to on the city's streets who are suddenly thrust into helpless and sad circumstances, and the new award pin that she is entitled to wear on her uniform speaks volumes about Officer Sanborn, a caring police officer and human being; 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 LaVerne Sanborn for being voted by the IPD Victim Assistance Unit as the 1997 winner of the Ruthann Popcheff Memorial Award.

SECTION 2. Officer Sanborn's compassionate conduct reflects the highest credit upon the Indianapolis Police Department and upon herself.

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

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

PROPOSAL NO. 390, 1997. The proposal, sponsored by Councillor Talley, recognizes the Edmonson and O'Neal Second Annual Family Reunion. Councillor Talley read the proposal and stated that he will present the resolution to the families at their reunion. Councillor Talley moved, seconded by Councillor Short, for adoption. Proposal No. 390, 1997 was adopted by a unanimous voice vote.

Proposal No. 390, 1997 was retitled SPECIAL RESOLUTION NO. 46, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1997

A SPECIAL RESOLUTION recognizing the Edmonson and O'Neal Second Annual Family Reunion.

WHEREAS, more than a hundred of the Edmonson and O'Neal family descendants from as far away as Georgia, Alabama and Mississippi will gather in Indianapolis for their Second Annual Family Reunion this July 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup>; and

WHEREAS, the theme of this year's celebration is *Where There Is Family, There Is Love*, and activities include a barbecue cookout in Broad Ripple Park, watching the Fourth of July fireworks, touring downtown Indianapolis and a walk along the canal; and

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WHEREAS, Pastor Eugene Ramsey of Calvary Wesleyan Church will speak at the July 5<sup>th</sup> closing banquet ceremony on the topic of values, tradition and families; 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, in behalf of the people of Indianapolis, welcome all those attending the Edmonson and O'Neal Family Reunion.

SECTION 2. May God smile upon this brief gathering when so many real and honorary "cousins" gather together, when children and new family members through marriage can feel connected to the family history and when food, photographs, hugs and memories are the accepted norm for the day.

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

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

PROPOSAL NO. 391, 1997. The proposal, sponsored by Councillor Williams, concerns the Indianapolis International Airport. Councillor Williams read the proposal and stated that she would like to see parking fees reduced due to the cost-saving initiatives BAA has shown since privatizing the airport.

Councillor Schneider asked how far back Councillor Williams wishes to see the rates rolled back. Councillor Williams responded that she would like to see the parking fees at the level they were before privatization.

Councillor Schneider asked if BAA has the financial wherewithal to reduce these rates and if doing so would have an impact on the savings. Councillor Williams stated that she does not know the impact and that the resolution encourages the BAA to simply consider reduction of the rates on their board's next agenda. The resolution does not mandate a reduction.

Councillor McClamroch moved, seconded by Councillor Boyd, to assign Proposal No. 391, 1997 to the Municipal Corporations Committee for further review and dialogue. Councillor Williams stated that she has no problem with the proposal's referral to Committee. The motion carried by a unanimous voice vote, and Proposal No. 391, 1997 was referred to the Municipal Corporations Committee.

PROPOSAL NO. 392, 1997. The proposal, sponsored by Councillor Coughenour, recognizes retiring DPW Solid Waste Division Director Andrew "Andy" Sims. Councillor Coughenour read the proposal and presented Mr. Sims with a copy of the document and a Council pin. Councillors Tilford and McClamroch expressed their gratitude to Mr. Sims for his service and stated that he is well respected even among competitors in the private sector. Mr. Sims thanked his staff for their efforts in making the Division a success and thanked his family and the Council for their support. The President wished Mr. Sims well in his new private venture. Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 392, 1997 was adopted by a unanimous voice vote.

Proposal No. 392, 1997 was retitled SPECIAL RESOLUTION NO. 47, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1997

A SPECIAL RESOLUTION recognizing retiring DPW Solid Waste Division Director Andrew "Andy" Sims.

WHEREAS, Andrew "Andy" Sims worked for the City of Indianapolis for 22 years, many of those years as head of the Solid Waste Division of the city's Department of Public Works; and

WHEREAS, numerous changes have occurred during his more than two decades with the Department, and Andy didn't simply "go with the flow," he was consistently a true leader, motivator and was ever willing to assist and promote new ways of operating a relatively staid and conventional task; and

WHEREAS, Andy successfully met the challenges of changing Administration directions, using computer systems to gain more efficiency, new input-output accountability schemes, competition for routes, snowstorms, record low temperatures and delicate union-management relations, while consistently maintaining the confidence of the workers under him and his bosses above him; 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, in behalf of the people of Indianapolis, recognizes the contributions of DPW's Solid Waste Administrator Andrew "Andy" Sims who has demonstrated his concern for the welfare of his workers and his willingness to help make new ways of doing business a hallmark during his years with the Department of Public Works.

SECTION 2. The Council wishes Andy the very best in his retirement.

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

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

PROPOSAL NO. 192, 1997. The proposal reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. Councillor Hinkle moved, seconded by Councillor Williams, to postpone Proposal No. 192, 1997 until June 23, 1997. Proposal No. 192, 1997 was postponed by a unanimous voice vote.

PROPOSAL NO. 193, 1997. Councillor McClamroch reported that the Community Affairs Committee heard Proposal No. 193, 1997 on June 4, 1997. The proposal appoints Sondra Gunnell to the Indianapolis Greenways Development Committee. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch moved, seconded by Councillor Franklin, for adoption. Proposal No. 193, 1997 was adopted by a unanimous voice vote.

Proposal No. 193, 1997 was retitled COUNCIL RESOLUTION NO. 52, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1997

A COUNCIL RESOLUTION appointing to the Indianapolis Greenways Development Committee.

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

June 9, 1997

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

Sondra Gunnell

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 for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 321, 1997. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 321, 1997 on May 29, 1997. The proposal approves the Mayor's appointment of Ted Rhinehart as Director of the Department of Public Works. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 321, 1997 was adopted by a unanimous voice vote.

Proposal No. 321, 1997 was retitled COUNCIL RESOLUTION NO. 53, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1997

A COUNCIL RESOLUTION approving the Mayor's appointment of Ted Rhinehart as Director of the Department of Public Works for a term ending December 31, 1997.

WHEREAS, pursuant to IC 36-3-3-8 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Ted Rhinehart to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1997; now, therefore:

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

SECTION 1. Ted Rhinehart is approved and confirmed by the City-County Council to serve as Director of the Department of Public Works at the pleasure of the Mayor for a term ending December 31, 1997.

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

PROPOSAL NO. 322, 1997. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 322, 1997 on May 28, 1997. The proposal approves the Mayor's appointment of Dennis M. Neidigh as Director of the Department of Capital Asset Management. Councillor Gilmer stated that because Mr. Neidigh was in a board meeting, he could not attend the meeting and therefore received three negative votes. Councillor Gilmer moved, seconded by Councillor Coughenour, to send Proposal No. 322, 1997 back to committee so that the committee members would have a chance to meet Mr. Neidigh. Proposal No. 322, 1997 was returned to committee by a unanimous voice vote.

PROPOSAL NO. 356, 1997. Councillor McClamroch reported that the Rules and Public Policy Committee heard Proposal No. 356, 1997 on May 20, 1997. The proposal reappoints Fred G. Johnston, Jr. to the Board of Ethics. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch moved, seconded by

Councillor Gilmer, for adoption. Proposal No. 356, 1997 was adopted by a unanimous voice vote.

Proposal No. 356, 1997 was retitled COUNCIL RESOLUTION NO. 54, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 1997

A COUNCIL RESOLUTION reappointing Fred G. Johnston, Jr. to the Board of Ethics.

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 Board of Ethics, the Council appoints:

Fred G. Johnston, Jr.

SECTION 2. The appointment made by this resolution is for a term ending April 13, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 373, 1997. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the lease of office space located at 9245 North Meridian Street for use by the Marion County Cooperative Extension Service"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 374, 1997. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$10,000 in the 1997 Budgets of the County Auditor and County Surveyor (County General Fund) to provide funding for the Surveyor to locate control points for aerial photography for IMAGIS"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 375, 1997. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which elects to fund MECA operations in calendar year 1998 with \$2 million of COIT revenue"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 376, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,254,676 in the 1997 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to cover operational expenses for the fiscal year 1997/1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 377, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$181,020 in the 1997 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund a juvenile court intensive probation services program for fiscal year 1997/1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 378, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$284,171 in the 1997 Budgets of the County Auditor and Community Corrections (Home Detention User Fee Fund) to fund salaries, services, home detention equipment, and supplies for the fiscal year 1997/1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 379, 1997. Introduced by Councillors Moores, Hinkle, Moriarty Adams, Talley, and Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code concerning a cost of living adjustment (COLA) for retired or disabled county police officers"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 380, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William Brown to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 381, 1997. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$564,000 in the 1997 Budget of the Department of Public Works, Solid Waste Administration (Solid Waste Collection Service District Fund) to pay for overtime costs incurred during January's snow and cold weather days and underbudgeted employee benefits financed by transfer between characters"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 382, 1997. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$173,098 in the 1997 Budget of the Department of Public Works, Contract Compliance Division and Environmental Resources Management Division (Consolidated County Fund) and a transfer of \$12,000 in the 1997 Budget of the Department of Public Works, Administration (Federal Grants Fund) to pay for Brownfields' interns, to purchase air monitoring equipment, and to cover expenses related to removing abandoned vehicles financed by a transfer between characters in the Federal Grants Fund and revenues from the Consolidated County Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 383, 1997. Introduced by Councillors Tilford and O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at a fire station located at 7403 East 30th Street (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 384, 1997. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Hoyt Avenue and Randolph Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 385, 1997. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in intersection controls at 9th Street and Paca Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 386, 1997. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on 42nd Street from Bari Court to Wittfield Street (District 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 387, 1997. Introduced by Councillors Jones and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of morning and evening rush hour parking restrictions on 10th Street between Massachusetts Avenue and Sherman Drive; and authorizes parking restrictions at selected signalized intersections to improve traffic safety (Districts 10, 15, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 388, 1997. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on 66th Street from College Avenue to Cornell Avenue (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 389, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase in the 1997 Budget of the Marion County Children's Guardian Home (County General Fund) in the amount of \$2,000,000 to provide funding for the implementation of The Guardian Home 2000 Plan financed from County General Fund balances"; and the President referred it to the Community Affairs Committee.

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

PROPOSAL NO. 393, 1997 and PROPOSAL NOS. 394-411. Introduced by Councillor Hinkle. Proposal No. 393, 1997 and Proposal Nos. 394-411, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 2, 1997. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 96-114, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 96, 1997.

95-Z-179

2108-2202 EAST WASHINGTON STREET (Approx. Address), INDIANAPOLIS,  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

DEPARTMENT OF METROPOLITAN DEVELOPMENT, requests a REZONING of 0.97 acre, being in the C-2 District, to the C-5 classification to conform the zoning classification to the existing commercial use

REZONING ORDINANCE NO. 97, 1997.

97-Z-85

6724 EAST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.  
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

RUSSELL BEATY and ROBERT C. WHITE, by Michael J. Kias, request a rezoning of 75.19 acres, being in the D-A District, to the D-2 classification to provide for a single-family residential development.



REZONING ORDINANCE NO. 98, 1997.

97-Z-63 (AMENDED)

5458 KENTUCKY AVENUE (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

INDIANAPOLIS OSTEOPATHIC HOSPITAL, by Mary Solada, requests a rezoning of 31 acres, being in the D-3 and C-S Districts, to the C-S classification to provide for:

- a) a hospital campus for hospital, medical office, outpatient surgery, health care center including fitness center permitting court facilities, and related uses on an outlot, identified as Parcel D, with a maximum total square footage of the buildings not to exceed 200,000 square feet;
- b) Most C-3 uses, bed and breakfast, medical equipment rental or leasing, hotel/motel, tennis court/club membership, surgical instrument repair, orthopedic and artificial limb store, urgent care center, day care center, nursing home, and assisted living facility on an outlot, identified as Parcel A, with a maximum total square footage of the Parcel A buildings not to exceed 75,000 square feet;
- c) C-1 uses including assisted living and urgent care center on an outlot, identified as Parcel B, with a maximum total square footage of the Parcel B buildings not to exceed 50,000 square feet; and
- d) C-1 uses including assisted living facility on an outlot, identified as Parcel C, with a maximum total square footage of the Parcel C buildings not to exceed 50,000 square feet.

REZONING ORDINANCE NO. 99, 1997.

97-Z-55

8380 SOUTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

EQUICOR DEVELOPMENT, by David Gilman, requests a rezoning of 48.432 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 100, 1997.

97-Z-56

8350 SOUTH SHERMAN DRIVE (rear) (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

EQUICOR DEVELOPMENT, INC., by David Gilman, requests a rezoning of 15.078 acres, being in the D-A District, to the D-5 classification to provide for single- and two-family residential development.

REZONING ORDINANCE NO. 101, 1997.

97-Z-57

8302 SOUTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

EQUICOR DEVELOPMENT, INC., by David Gilman, requests a rezoning of 18.624 acres, being in the D-A District, to the D-6 classification to provide for attached multi-family residential development.

REZONING ORDINANCE NO. 102, 1997.

97-Z-102

201 SOUTH PENNSYLVANIA STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

CITY OF INDIANAPOLIS. DEPARTMENT OF METROPOLITAN DEVELOPMENT, by Mary E. Solada, requests a rezoning of 2.913 acres, being in the I-3-U(RC)(FF) District, to the CBD-2(RC)(FF) classification to provide for general commercial, wholesaling and/ or public uses.

REZONING ORDINANCE NO. 103, 1997.

97-Z-32

325 SOUTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

CALINT REALTY requests a rezoning of 0.48 acres, being in the I-4-U District, to the C-S classification to allow all uses permitted in a C-1 and C-3 Commercial Zoning classification and selected uses permitted within a C-4 Commercial Zoning classification.

REZONING ORDINANCE NO. 104, 1997.

97-Z-19 (Amended)

3401 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

MEEES TILE & MARBLE, INC, by Michael J. Kias, requests a rezoning of 2.47 acres, being in the C-4 District, to the C-S classification to provide for:

- a) permitted uses in the C-4 zoning classification;
- b) truck rental and leasing with storage and related uses;
- c) wholesale sales with warehouse and/or storage and distribution facilities; and
- d) mini-warehouses and warehousing.

REZONING ORDINANCE NO. 105, 1997.

97-Z-41

3421 NORTH KEYSTONE AVENUE and 2408-2432 EAST 34<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 5.53 acres, being in the C-3 and D-5 Districts, to the SU-2 classification to conform the zoning to the existing school use.

REZONING ORDINANCE NO. 106, 1997.

97-Z-48

4702-4730 EAST ORANGE STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 23

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 2.73 acres, being in the I-2-U District, to the D-3 classification to conform zoning to the existing seven single-family residences.

REZONING ORDINANCE NO. 107, 1997.

97-Z-52

4056-4058 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17

CHARLES PUTCHO, by Michael D. Keele, requests a rezoning of 0.25 acre, being in the D-5 District, to the C-3 classification to provide for commercial retail uses including personal service establishments.

REZONING ORDINANCE NO. 108, 1997.

97-Z-82 (AMENDED)

2635 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

DE-GE DEVELOPMENT CORPORATION requests a rezoning of 4.77 acres, being in the D-A District, to the D-2 classification to provide for residential development.

REZONING ORDINANCE NO. 109, 1997.

97-Z-86

1128-1302 EAST SPANN AVENUE and 1127-1301 ENGLISH AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #21

METROPLITAN DEVELOPMENT COMMISSION requests a rezoning of 9.96 acres, being in the C-1 and D-5 Districts, to the SU-2 classification to provide for school uses.

REZONING ORDINANCE NO. 110, 1997.

97-Z-87

2327 EAST 10<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10, 15

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.95 acre, being in the C-2 and D-5 Districts, to the SU-1 classification to provide for religious uses.

June 9, 1997

REZONING ORDINANCE NO. 111, 1997.

97-Z-90

845 WEST TROY AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

DENNIS MANN, by Joseph P. Murdock, requests a rezoning of 3.75 acres, being in the D-A(F) District, to the I-4-U(F) classification to provide for the operation of a concrete plant.

REZONING ORDINANCE NO. 112, 1997.

97-Z-92

2426 LILAC DRIVE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

FREDERICK J. and TERESA SRMACK BRINKMAN, by LilaBerdia Batties, request a rezoning of 0.41 acre, being in the D-3 District, to the C-1 classification to conform existing office use to the zoning classification and the U.S. 31 and South Madison Avenue Corridor Plan.

REZONING ORDINANCE NO. 113, 1997.

97-Z-93

198 SOUTH COUNTY LINE ROAD a/k/a 198 SOUTH CARROLL ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

ROBERT and LUDMILLA PARKER, by Joseph D. Calderon, request a rezoning of 58.8 acres, being in the D-A(F)(FW) District, to the D-2(F)(FW) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 114, 1997.

97-Z-94

5930 STAFFORD WAY (rear ) (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 2

JAMES and CINDY EITELJORG, request a rezoning of 0.86 acre, being in the SU-2 District, to the D-1 classification to provide for the construction of a swimming pool adjacent to an existing residence.

PROPOSAL NOS. 412-421, 1997. Introduced by Councillor Hinkle. Proposal Nos. 412-421, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 4, 1997. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 115-124, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 115, 1997.

97-Z-51

9406-9501 WHITLEY DRIVE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3

DENNIS REINBOLD, by Philip A. Nicely, requests a rezoning of 14.9 acres, being in the D-2 and C-S Districts, to the C-S classification to provide for automobile sales, display and repair, office, self-storage mini-warehouses, and to continue to permit an existing cellular communications tower.

REZONING ORDINANCE NO. 116, 1997.

97-Z-78

5719 SOUTH CONCORD STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25

OK SAND & GRAVEL, by G. Thomas Blankenship, requests a rezoning of 10 acres, being in the D-A(GSB)(FF) Districts, to the SU-23(GSB)(FF) classification to provide for the operation of a sand and gravel processing plant and stock piling.

REZONING ORDINANCE NO. 117, 1997.

97-Z-79 (corrected)

5730 SOUTH CONCORD STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25

OK SAND & GRAVEL, by G. Thomas Blankenship, requests a rezoning of 10 acres, being in the D-A(GSB)(FF) Districts, to the SU-23(GSB)(FF) classification to provide for the operation of a sand and gravel processing plant and stock piling.

REZONING ORDINANCE NO. 118, 1997.

97-Z-81

1402 ENGLISH AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

NEW BIRTH MINISTRIES, INC., requests a rezoning of 1.8 acres, being in the C-1 and I-2-U Districts, to the SU-1 classification to conform zoning to the existing religious use.

REZONING ORDINANCE NO. 119, 1997.

97-Z-88

961 NORTH BELMONT AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

CHRIST CHURCH HOLINESS requests a rezoning of 0.21 acre, being in the C-3 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 120, 1997.

97-Z-89

968 NORTH BELMONT AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

CHRIST CHURCH HOLINESS requests a rezoning of 0.14 acre, being in the C-3 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 121, 1997.

97-Z-96

5605 EAST 38<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

PRINCE HALL GRAND LODGE requests a rezoning of 0.258 acre, being in the D-4 District, to the C-1 classification to provide for office use.

REZONING ORDINANCE NO. 122, 1997.

97-Z-104 (amended)

4320 GUION ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9

JAMES WARRUM, by Mitch Sever, requests a rezoning of 47.60 acres, being in the D-A(FF), SU-34, and I-2-S Districts, to the I-2-S(FF) classification to provide for light industrial uses.

REZONING ORDINANCE NO. 123, 1997.

97-CP-17Z

8601 CROWN POINT ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

JOHN A. SIMMONS requests a rezoning of 3.98 acres, being in the D-A District, to the D-1 classification to provide for the construction of two single-family residences.

REZONING ORDINANCE NO. 124, 1997.

97-CP-20Z

3420 GRAVELLE DRIVE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

TIMOTHY and JULIE A. CHEATHAM request a rezoning of 2.2 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 219, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 219, 1997 on May 7, 1997, and that it was postponed in Council on May 19, 1997. The proposal approves an increase of \$4,000,000 in the Marion County Superior Court, Juvenile Division's 1997 Budget (County Construction Fund) to acquire an alternative school funded by a grant from Lilly Endowment. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams asked if Indianapolis Public Schools (IPS) has bought in to the program. Councillor Dowden stated that IPS has not yet voted, but will do so at their next meeting. He stated that IPS board members have voiced their support of the program.

Councillor Golc asked the meaning of the purpose as stated in the information he has received as being educational, curative, and preventative. Amy Mack, Juvenile Court Special Projects Coordinator, stated that the school will follow a strict educational format, so that students do not fall behind their respective grade levels. This format will be integrated with a behavioral management curriculum to help the students alter their behavior and ultimately be moved back into the regular school system.

Councillor Golc asked if this program simply duplicated the Phoenix School in Washington Township. Ms. Mack stated that the school districts requested this and that it should not be affected by the Phoenix program. Councillor Golc asked if a decision has been made as to the number of students who will be participating and if budget funding has reached closure. Ms. Mack explained that all of the funding and student commitments had not yet been secured and finalized, but that all indications lead to success in these areas.

Councillor Smith stated that he supports Proposal No. 219, 1997.

Councillor Coughenour asked if the curriculum is different from the regular school system. Ms. Mack stated that a bidding and evaluation process will take place to determine the curriculum and that there are strict guidelines that must be met. Councillor Coughenour asked if there were any examples where this type of project has succeeded. Ms. Mack stated that it is a new idea and that a couple of schools in Texas have finished their first years with what looks to be successful, although there are no concrete examples yet. Councillor Coughenour stated that this venture is a worthwhile project.

Councillor Boyd asked if the Presiding Judge has approved this project and if indications are strong that IPS is in agreement as well. Councillor Dowden stated that Judge Patricia Gifford voiced her full support in a recent committee meeting, and that IPS was the prime instigator in initiating this project.

Councillor Boyd stated that he would like to see Proposal No. 219, 1997 postponed until the IPS approval is forthcoming. Councillor Dowden stated that the success or failure of the program is not dependent on IPS solely and that the other townships are supporting it so that it is not contingent on IPS's signing. He stated that he feels passage of this proposal would show support to the funding agency, Lilly Endowment.

Councillor O'Dell stated that the superintendent of Warren Township is committed to ten students. He added that he can support this proposal if he can be assured that the court will not mandate the Council to take over the operating budget or pick up the shortfall if the program does not support itself. General Counsel Robert Elrod stated that there is nothing legally restricting the judge from doing so. Councillor Dowden stated that mandates are always an option and that if he wanted to, the judge could issue a mandate now for the program instead of seeking the Council's voluntary support.

Councillor McClamroch stated that he supports this proposal, even though there are still some issues that need to be resolved. He added that the seed money is in place to start the program and it is a good concept.

Councillor Hinkle stated that although there is seed money, there is no operating budget, and the Council would not allow the Auditor or Controller to propose such a program without a detailed operating budget.

Councillor Franklin stated that the Lilly grant is for capital expenditures only and that this program is different from the Washington Township school program. He added that he supports this proposal even though all commitments are not yet secured.

Councillor Williams asked if the City would be called to accept liability in this project even though no tax dollars are used and it is funded by private monies. Mr. Elrod stated that the program is targeted at being privately operated and the contract with the management group would determine liability. Councillor Dowden stated that the courts would probably bear this liability.

The President called for public testimony at 9:17 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 219 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 219, 1997 was retitled FISCAL ORDINANCE NO. 42, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Four Million Dollars (\$4,000,000) in the State and Federal Grants Fund for purposes of the County Auditor and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the County Construction 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,cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Superior Court to acquire an alternative school.

SECTION 2. The sum of 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>COUNTY AUDITOR</u>	<u>COUNTY CONSTRUCTION FUND</u>
1. Personal Services - Fringes	23,000
 <u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	92,000
4. Capital Outlay	<u>3,885,000</u>
TOTAL INCREASE	4,000,000

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

	<u>COUNTY CONSTRUCTION FUND</u>
Unappropriated and Unencumbered	
County Construction Fund	<u>4,000,000</u>
TOTAL REDUCTION	4,000,000

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. 308, 1997. The proposal approves the disbursement of \$336,000 of the Community Development Block Grant Funds for the UNWA (United Northwest Area) Seven Initiatives Plan, Phase I. Councillor Hinkle moved, seconded by Councillor Coughenour, to postpone Proposal No. 308, 1997 until June 23, 1997. Proposal No. 308, 1997 was postponed by a unanimous voice vote.

PROPOSAL NO. 309, 1997. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 309, 1997 on June 4, 1997. The proposal approves an increase of \$1,002,303 in the 1997 Budget of the Department of Parks and Recreation (Park General Fund) to re-establish originally budgeted amounts, to cover the operation costs for the pools at Gustafson and Broad Ripple Parks, and to purchase and maintain ranger vehicles financed by a transfer of \$150,000 between characters and \$852,303 from the fund balance. By a 4-2-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:21 p.m. There being no one present to testify Councillor Shambaugh moved, seconded by Councillor Cockrum, for adoption. Proposal No. 309, 1997 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. 309, 1997 was retitled FISCAL ORDINANCE NO. 43, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Million Two Thousand Three Hundred Three Dollars (\$1,002,303) in the Parks General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Parks 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(n) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to pay for two (2) city run pools at Gustafson and Broad Ripple, purchase and maintain ranger vehicles, re-establish original funding and purchase of Park vehicles.

SECTION 2. The sum of One Million Two Thousand Three Hundred Three Dollars (\$1,002,303) 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>
1. Personal Services	100,000
2. Supplies	17,200
3. Other Services and Charges	475,103
4. Capital Outlay	<u>410,000</u>
TOTAL INCREASE	1,002,303

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
5. Internal Charges	<u>150,000</u>
TOTAL REDUCTION	150,000

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>852,303</u>
TOTAL REDUCTION	852,303

SECTION 5. 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. 311-319, 1997 on May 21, 1997. He asked for consent to vote on all nine proposals together. Consent was given.

PROPOSAL NO. 311, 1997. The proposal, sponsored by Councillors Dowden and Talley, approves an increase of \$98,872 in the 1997 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for participation in nation-wide Anti-Gang Initiative and overall anti-gang strategy on community interdiction financed by a Department of Justice grant. PROPOSAL NO. 312, 1997. The proposal approves an increase of \$2,032,967 in the 1997 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) for a Local Law Enforcement Block Grant Program financed by a federal grant. PROPOSAL NO. 313, 1997. The proposal approves an increase of \$67,804 in the 1997 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for directed patrol projects in various communities financed by a Department of Justice grant. PROPOSAL NO. 314, 1997. The proposal approves an increase of \$552,363 in the 1997 Budget of the Department of Public



Safety, Police Division (Federal Grants Fund) to pay for a comprehensive multi-agency program to coordinate the delivery of criminal justice social services to the Near Westside communities financed by a Department of Justice grant. PROPOSAL NO. 315, 1997. The proposal approves an increase of \$52,000 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to pay the expenses of marketing, education, and training for Wishard and St. Vincent Centers of Hope funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 316, 1997. The proposal approves an increase of \$31,503 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to contract for the running of the Children's Haven Waiting Room funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 317, 1997. The proposal approves an increase of \$44,000 in the 1997 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to renew the Weed and Seed program funded by a grant from the Indiana Criminal Justice Institute through the Indianapolis Police Department. PROPOSAL NO. 318, 1997. The proposal approves an increase of \$498,889 in the 1997 Budget of the County Auditor, County Sheriff, Prosecuting Attorney, and Marion County Superior Court (State and Federal Grants Fund) to fund activities related to the Federal Law Enforcement Block Grant through the Indianapolis Police Department. PROPOSAL NO. 319, 1997. The proposal approves a transfer of \$350,603 increasing the 1997 Budgets of the Auditor and Sheriff (County General Fund) and decreasing the 1997 Budget of the Community Corrections Agency (County General Fund) to pay personnel costs of incarcerated prisoners. All proposals passed out of committee with do pass recommendations.

Councillor Curry stated that he opposes Proposal No. 312, 1997, and asked for consent to vote on it separately. Consent was given.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption of Proposal No. 312, 1997. Proposal No. 312, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 312, 1997 was retitled FISCAL ORDINANCE NO. 54, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Two Million Thirty-two Thousand Nine Hundred Sixty-seven Dollars (\$2,032,967) in the Federal Grants Fund for purposes of the Department of Public Safety and reducing the unappropriated and unencumbered balance in the Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to pay for a Local Law Enforcement Block Grant Program.

SECTION 2. The sum of Two Million Thirty Two Thousand Nine Hundred Sixty Seven Dollars (\$2,032,967) 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>	
2. Supplies	50,000
3. Other Services and Charges	678,889
4 Capital Outlay	<u>1,304,078</u>
TOTAL INCREASE	2,032,967

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>2,032,967</u>
TOTAL REDUCTION	2,032,967

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.

The President called for public testimony at 9:32 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption of Proposal Nos. 311 and 313-319, 1997. Proposal Nos. 311 and 313-319, 1997 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. 311, 1997 was retitled FISCAL ORDINANCE NO. 44, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Ninety-eight Thousand Eight Hundred Seventy-two Dollars (\$98,872) in the Federal Grants Fund for purposes of the Department of Public Safety 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 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety for participation in nation-wide Anti-Gang Initiative and overall anti-gang strategy on community interdiction.

SECTION 2. The sum of Ninety-eight Thousand Eight Hundred Seventy-two Dollars (\$98,872) 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	67,203
3. Other Services and Charges	6,669
4. Capital Outlay	<u>25,000</u>
TOTAL INCREASE	98,872

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	98,872
TOTAL REDUCTION	98,872

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. 313, 1997 was retitled FISCAL ORDINANCE NO. 45, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Sixty-seven Thousand Eight Hundred Four Dollars (\$67,804) in the Federal Grants Fund for purposes of the Department of Public Safety 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(m) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to pay for directed patrol projects in various communities.

SECTION 2. The sum of Sixty-seven Thousand Eight Hundred Four Dollars (\$67,804) 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	62,804
3. Other Services and Charges	<u>5,000</u>
TOTAL INCREASE	67,804

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

FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Federal Grants Fund	<u>67,804</u>
TOTAL REDUCTION	67,804

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. 314, 1997 was retitled FISCAL ORDINANCE NO. 46, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Five Hundred Fifty-two Thousand Three Hundred Sixty-three Dollars (\$552,363) in the Federal Grants Fund for purposes of the Department of Public Safety 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(m) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to pay for comprehensive multi-agency program to coordinate the delivery of criminal justice social services to the near-Westside communities.

SECTION 2. The sum of Five Hundred Fifty-two Thousand Three Hundred Sixty-three Dollars (\$552,363) 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	12,859
3. Other Services and Charges	<u>539,504</u>
TOTAL INCREASE	552,363

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	552,363
TOTAL REDUCTION	552,363

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. 315, 1997 was retitled FISCAL ORDINANCE NO. 49, 1997, and reads as follows:

June 9, 1997

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Fifty-two Thousand Dollars (\$52,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to pay the expenses of marketing, education and training for Wishard and St. Vincent Centers of Hope.

SECTION 2. The sum of Fifty-two Thousand Dollars (\$52,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>52,000</u>
TOTAL INCREASE	52,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>52,000</u>
TOTAL REDUCTION	52,000

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. 316, 1997 was retitled FISCAL ORDINANCE NO. 50, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Thirty-one Thousand Five Hundred Three Dollars (\$31,503) 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 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney's contract for the running of the Children's Haven Waiting Room

SECTION 2. The sum of Thirty-one Thousand Five Hundred Three Dollars (\$31,503) 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	<u>31,503</u>
TOTAL INCREASE	31,503

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>31,503</u>
TOTAL REDUCTION	31,503

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. 317, 1997 was retitled FISCAL ORDINANCE NO. 47, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Forty-four Thousand Dollars (\$44,000) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney to renew the Weed and Seed program

SECTION 2. The sum of Forty-four Thousand Dollars (\$44,000) 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>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	<u>8,800</u>

<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	<u>35,200</u>
TOTAL INCREASE	44,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>44,000</u>
TOTAL REDUCTION	44,000

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. 318, 1997 was retitled FISCAL ORDINANCE NO. 48, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Four Hundred Ninety-eight Thousand Eight Hundred Eighty-nine Dollars (\$498,889) in the State and Federal Grants Fund for purposes of the County Auditor, County Sheriff, Prosecuting Attorney, and Marion County Superior Court 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,y,cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, County Sheriff, Prosecuting Attorney and Marion County Superior Court to fund activities related to the Federal Law Enforcement Block Grant.

SECTION 2. The sum of Four Hundred Ninety-eight Thousand Eight Hundred Eighty-nine Dollars (\$498,889) 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 AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	72,038
<u>COUNTY SHERIFF</u>	
2. Supplies	90,000
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	274,151
3. Other Services and Charges	10,000
4. Capital Outlay	6,200
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	14,000
3. Other Services and charges	1,400
4. Capital Outlay	<u>31,100</u>
TOTAL INCREASE	498,889

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>498,889</u>
TOTAL REDUCTION	498,889

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. 319, 1997 was retitled FISCAL ORDINANCE NO. 51, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Three Hundred Fifty Thousand Six Hundred Three Dollars (\$350,603) in the County General Fund for purposes of the County Auditor County Sheriff and Community Corrections and reducing certain other appropriations for Community Corrections Agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b,y,z) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, County Sheriff, and Community Corrections Agency to pay personnel costs of incarcerating prisoners

SECTION 2. The sum of additional Three Hundred Fifty Thousand Six Hundred Three Dollars (\$350,603) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - Fringes	70,120
<u>COUNTY SHERIFF</u>	
1. Personal Services	<u>280,483</u>
TOTAL INCREASE	350,603

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

<u>COMMUNITY CORRECTIONS</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>350,603</u>
TOTAL DECREASE	350,603

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

PROPOSAL NO. 341, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 341, 1997 on May 20, 1997. The proposal approves an increase of \$44,300 in the 1997 Budget of the Cable Communication Agency (Consolidated County Fund) to pay for the acquisition of capital equipment financed by a Public Education Grant from the Cable Franchise Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 341, 1997 was adopted on the following roll call vote; viz:



28 YEAS: Black, Borst, Boyd, Bradford, 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: Brents

Proposal No. 341, 1997 was retitled FISCAL ORDINANCE NO. 52, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Forty four Thousand Three Hundred Dollars (\$44,300) in the Consolidated County Fund for purposes of the Cable Communications Agency and reducing the unappropriated and unencumbered balance in the Consolidated County 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 (d ) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to pay for acquisition of capital equipment.

SECTION 2. The sum of Forty four Thousand Three Hundred Dollars (\$44,300) 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>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	44,300
TOTAL INCREASE	44,300

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	44,300
TOTAL REDUCTION	44,300

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

**SPECIAL ORDERS - FINAL ADOPTION**

Councillor Dowden asked for consent to hear Proposal No. 310, 1997 next on the agenda. Consent was given.

PROPOSAL NO. 310, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 310, 1997 on May 21, 1997. The proposal, sponsored by Councillors Dowden and Talley, designates two of Indianapolis' most difficult crime problem areas as public safety improvement zones and eligible for future grant considerations. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor O'Dell asked what neighborhoods are involved in this proposal. Brian Long, paralegal for the Prosecutor's Office, showed maps marking the areas involved in these proposed zones.

Councillor Gilmer asked how the Prosecutor can make penalties of crimes in these areas more severe. Scott Newman, Prosecutor, stated that a crime committed in a public safety improvement zone cannot necessarily be given a stricter sentence automatically. He explained that in each crime case mitigating and aggravating factors must be considered. Committing a crime in a public safety improvement zone is considered an aggravating factor, and can contribute to a harsher sentence, but cannot alone determine such a sentence.

Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 310, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 310, 1997 was retitled SPECIAL RESOLUTION NO. 48, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1997

A SPECIAL RESOLUTION of the City-County Council of the City of Indianapolis-Marion County, Indiana, regarding designation of a public safety improvement zone and related public safety improvement zone grants.

WHEREAS, the 1994 Indiana General Assembly has passed legislation authorizing the designation of specific areas within communities as Public Safety Improvement Zones; and,

WHEREAS, the City of Indianapolis is a first class city complying with the legislation; and,

WHEREAS, the bounds description of the proposed North side public safety improvement area (hereafter referred to as the North side tract) is as follows:

Generally, a tract of land located on the North side of and within the corporate limits of the City of Indianapolis.

More specifically, beginning at the intersection of Dr. Martin Luther King, Jr. Drive and 32nd Street; thence East along 32nd Street to Boulevard Avenue; thence North along Boulevard Avenue to 38th Street; thence East along 38th Street to Fall Creek; thence Southwesterly along Fall Creek to 30th Street; thence East along 30th Street to Martindale Avenue; thence South along Martindale Avenue to 25th Street; thence East along 25th Street to Keystone Way; thence Southeastwardly along Keystone Way to Interstate 70; thence Southwesterly, Westerly, Northerly, and Westerly along Interstate 70 and Interstate 65 to Dr. Martin Luther King, Jr. Drive; thence Northerly on Dr. Martin Luther King, Jr. Drive to point of beginning.

WHEREAS, the bounds description of the proposed East side public safety improvement area (hereafter referred to as the East side tract) is as follows:

Generally, a tract of land located on the East side of and within the corporate limits of the City of Indianapolis.

More specifically, beginning at the intersection of Keystone Avenue and 38th Street; thence North to Fall Creek; thence Northeastwardly along Fall Creek to 46th Street; thence East along 46th Street to Arlington Avenue; thence South along Arlington Avenue to 38th Street; thence West along 38th Street to the place of beginning.

June 9, 1997

WHEREAS, the applicable North side tract and East side tract of Indianapolis, Indiana, is an area meeting the criteria and requirements for designation as a public safety and improvement zone and the combined area of the two tracts consists of not more than 20 percent of the city's total geographic territory; and,

WHEREAS, the applicable North side tract and East side tract of Indianapolis, Indiana, is a high crime area as defined under the Uniform Crime Report, Part I Crime Index; and,

WHEREAS, the City-County Council of the City of Indianapolis-Marion County, Indiana, fully supports the designation of a Public Safety Zone on the North side and East side tracts of Indianapolis, Indiana, and fully supports and approves the submission of the necessary applications, plans, and approves the submission of the necessary, plans, and related materials for creation of said zone and the subsequent application for grants to address the crime issues related to said zone; now, therefore:

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

SECTION 1. The City-County Council supports the application for designation of a Public Safety Improvement Zone covering the North side and East side tracts of Indianapolis, Indiana, and supports the submission of the application and plan for approval of said designation and further supports the subsequent application for a Public Safety Improvement Zone Grant to facilitate law enforcement improvements and public safety improvements within the designated area.

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

Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal Nos. 208 and 209, 1997 on May 20, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 208, 1997. The proposal amends the Commercial Zoning Ordinance of Marion County to provide for a 500 foot distance separation between establishments which cater to an under 21 clientele and those establishments which sell/provide alcohol, such as bars and night clubs (97-AO-5). PROPOSAL NO. 209, 1997. The proposal amends the Central Business District Zoning Ordinance of Marion County to provide for a 500 foot distance separation between establishments which cater to an under 21 clientele and those establishments which sell/provide alcohol, such as bars and night clubs (97-AO-6). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Bradford asked for a clarification of an under 21 establishment. Ed Mitro, Senior Planner for the Department of Metropolitan Development, stated that any type of amusement establishment that caters primarily to customers under the age of 21 is considered an under 21 establishment. He noted that Great Times and Discovery Zone fit into this category. Councillor Bradford asked about restaurants which serve alcohol and if they are considered night clubs. Mr. Mitro stated that if a minor can walk into the restaurant to eat with his parents, it is not a night club, such as with restaurants like Applebee's and others which have bar areas in the restaurants.

Councillor Bradford asked if this proposal would prohibit a Discovery Zone being put into Circle Centre due to all the night clubs. Mr. Mitro stated that it could happen if the owners obtained a variance.

Councillor Bradford asked why the distance is 500 feet instead of the 200 feet already in the law securing distance between alcoholic beverage sales and churches and schools. Mr. Mitro stated that 500 feet is the maximum allowance and is the desire of the communities. He stated that due

to the Indianapolis Police Department hot sheets, close proximity of these types of establishments cause problems.

Councillor O'Dell asked where Chuck E. Cheese restaurants fit into this scenario, as they are marketed to under 21 clientele, but sell beer. Mr. Mitro stated that allowances according to these proposals are due to the primary or predominant marketing of an establishment, and therefore Chuck E. Cheese would be considered an under 21 establishment.

Councillor Gilmer asked who put these proposals together. Mr. Mitro stated that they were initiated and put together by the neighborhood groups.

Councillor Hinkle moved, seconded by Councillor Williams, for adoption. Proposal Nos. 208 and 209, 1997 were adopted on the following roll call vote, viz:

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

*0 NAYS:*

*4 NOT VOTING: Black, Boyd, Gray, Jones*

Proposal No. 208, 1997 was retitled GENERAL ORDINANCE NO. 85, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1997  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 97-AO-5

A GENERAL ORDINANCE to amend certain sections of the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, and fixing a time when the same shall take effect.

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

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

SECTION 1. The Commercial Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part 12 (adopted under Metropolitan Development Commission docket numbers 69-AO-1, 75-AO-3, 76-AO-3, 79-AO-4, 80-AO-1, 92-AO-4, 94-AO-7, 96-AO-1, and 96-AO-4), as amended, pursuant to IC 36-7-4 be amended as follows:

A. That Section 2.04, A, 15 be amended by deleting the stricken language and inserting the underscored language as follows:

15. Indoor commercial or amusement/recreational ~~amusement~~ establishments, including:

B. That Section 2.04, B, 1 be amended by deleting the stricken language and inserting the underscored language as follows:

d. Taverns, package liquor stores, ~~fast food or drive-through restaurants~~, night club establishments, and such establishments, where ~~food or~~ alcoholic beverages may be carried out (except drug stores or grocery stores) ~~or may likely be consumed on the premises~~ shall:

- (1) provide adequate outdoor convenience trash containers; and,
- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
- (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J); and,
- (4) not be located within five hundred (500) feet, measured in any direction, of any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject indoor commercial amusement/ recreation establishment.

e. Fast food or drive-through restaurants, and such establishments where food may be carried out shall:

- (1) provide adequate outdoor convenience trash containers; and,
- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
- (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J).

f. Any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall:

not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.

eg. Gasoline service stations, convenience markets, service centers or functions, services, operation and sales shall not include the following:

C. That Section 2.05, A, 5 be amended by deleting the stricken language and inserting the underscored language as follows:

5. Commercial ~~or amusement/recreational amusement~~ establishments, including:

D. That Section 2.05, B, 1 be amended by deleting the stricken language and inserting the underscored language as follows:

d. Taverns, package liquor stores, ~~fast food or drive-through restaurants~~, night club establishments, and such establishments where ~~food or~~ alcoholic beverages may be

carried out (except drug stores or grocery stores) ~~or may likely consumed on the premises shall:~~

- (1) provide adequate outdoor convenience trash containers; and,
- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
- (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J); and,

(4) not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.

e. Fast food or drive-through restaurants, and such establishments where food may be carried out shall:

- (1) provide adequate outdoor convenience trash containers; and,
- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
- (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J).

f. Any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall:

not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.

eg. Gasoline service stations, convenience markets, service centers or functions, shall be subject to the following regulations:

E. That Section 2.07, A, 4 be amended by deleting the stricken language and inserting the underscored language as follows:

4. Commercial ~~or amusement/recreational amusement~~ establishments, including:

F. That Section 2.07, B, 1 be amended by inserting the underscored language for a new subheading "g" as follows:

g. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:

- (1) provide adequate outdoor convenience trash containers; and,

- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
  - (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J); and,
  - (4) not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.
- h. Fast food or drive-through restaurants, and such establishments where food may be carried out shall:
- (1) provide adequate outdoor convenience trash containers; and,
  - (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
  - (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.16, Diagram J).
- i. Any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall:
- not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.
- G. That Section 2.07, B, 1 be amended by realphabetizing subsections "g." through "i." as "j." through "l." to incorporate the new subsection noted in F. above.
- H. That Section 2.16, B, 17, be amended by inserting the underscored language as follows:
17. *Amusement arcade.* A type of indoor commercial amusement/recreation establishment where more than four (4) amusement machines are available to the public.
- I. That Section 2.16, B, 119, be amended by deleting the stricken language and inserting the underscored language as follows:
119. *Night club.* An establishment engaged primarily in offering entertainment to the general public, in the form of music for dancing or live ~~and~~ or recorded performances. The establishment may or may not engage in the preparation and retail sale of alcoholic beverages for consumption on the premises. For the purposes of this ordinance, an establishment of a similar nature which caters to, or markets itself predominantly to, persons under twenty-one

(21) years of age shall not be construed to be a night club, but rather a commercial amusement/recreation establishment.

SECTION 3. Severability. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of the Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to severable.

SECTION 4. Attestation. This ordinance shall be in full force and effect upon its adoption with IC 36-7-4.

Proposal No. 209, 1997 was retitled GENERAL ORDINANCE NO. 86, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1997  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 97-AO-6

A GENERAL ORDINANCE to amend certain sections of the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, and fixing a time when the same shall take effect.

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

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

SECTION 1. The Central Business District Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, (adopted under Metropolitan Development Commission docket numbers 64-AO-1, 81-AO-4, 93-AO-1, 94-AO-1, 95-AO-4, and 96-AO-4), as amended, pursuant to IC 36-7-4, be amended as follows:

A. That Section 2.01, A, 17 be amended by deleting the stricken language and inserting the underscored language as follows:

17. Theatres, auditoriums, ~~and amusement facilities~~ or indoor commercial amusement/recreation establishments (no adult entertainment business permitted)

B. That Section 2.01, B, 1 be amended by inserting the underscored language as follows:

c. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:

(1) provide adequate outdoor convenience trash containers; and

(2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,

(3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.06, Diagram A); and,



(4) not be located within five hundred (500) feet, measured in any direction, of any indoor commercial amusement/ recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject indoor commercial amusement/recreation establishment.

d. Any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.

e. Trash containers exceeding six (6) cubic feet shall:

(1) be completely screened on at least three (3) sides within a solid-walled or fenced stall not less than six (6) feet in height. The open side of the stall, if applicable, shall not face any Protected District, nor shall it be viewed from any street frontage; and

(2) be located behind the established front building line; and

(3) not be located within a required yard or required transitional yard.

C. That Section 2.02, A, 17 be amended by deleting the stricken language and inserting the underscored language as follows:

17. Theatres, auditoriums, and amusement facilities or indoor commercial amusement/recreation establishments (no adult entertainment business permitted).

D. That Section 2.02, B, 1 be amended by inserting the underscored language as follows:

d. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:

(1) provide adequate outdoor convenience trash containers; and,

(2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,

(3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.06, Diagram A); and,

(4) not be located within five hundred (500) feet, measured in any direction, of any indoor commercial amusement/ recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject indoor commercial amusement/recreation establishment.

e. Any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from

the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.

f. Trash containers exceeding six (6) cubic feet shall:

- (1) be completely screened on at least three (3) sides within a solid-walled or fenced stall not less than six (6) feet in height. The open side of the stall, if applicable, shall not face any Protected District, nor shall it be viewed from any street frontage; and,
- (2) be located behind the established front building line; and,
- (3) not be located within a required yard or required transitional yard.

E. That Section 2.03, A, 11 be amended by deleting the stricken language and inserting the underscored language as follows:

11. *Retail sales and service establishments* primary for the convenience of residents or employees of this district, provided:

- a. such establishments (except for sales of beverages, flowers and food from carts) shall be located within buildings principally used for office, apartment, hotel or off-street parking uses, and
- b. such establishments shall include any of the following or similar uses of a like nature or character:

bank, savings and loan office	<u>indoor commercial amusement/recreation</u>
bar*, cabaret*, night club*	<u>establishment (no adult entertainment business</u>
barber shop	<u>permitted)**</u>
beauty shop	jewelry store
book store	laundromat
cleaners and laundry outlet	men's and women's wear
delicatessen	newsstand
drug store	restaurant
florist	shoe repair shop
gift shop	stationery store
grocery store	ticket office

\* subject to Section 2.03, B, 1, d.

\*\* subject to Section 2.03, B, 1, e.

F. That Section 2.03, B, 1 be amended by inserting the underscored language as follows:

d. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:

- (1) provide adequate outdoor convenience trash containers; and,
- (2) erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and,
- (3) not be located within one hundred (100) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District except when such establishment is separated from said Protected District by an intervening street (see Section 2.06, Diagram A); and,
- (4) not be located within five hundred (500) feet, measured in any direction, of any indoor commercial amusement/recreation establishment which caters to, or

markets itself predominantly to persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject indoor commercial amusement/recreation establishment.

- e. Any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall not be located within five hundred (500) feet, measured in any direction, of any tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.
- f. Trash containers exceeding six (6) cubic feet shall:
  - (1) be completely screened on at least three (3) sides within a solid-walled or fenced stall not less than six (6) feet in height. The open side of the stall, if applicable, shall not face any Protected District, nor shall it be viewed from any street frontage; and,
  - (2) be located behind the established front building line; and,
  - (3) not be located within a required yard or required transitional yard.

G. That Section 2.06, B be amended by deleting the stricken language and inserting the underscored language as follows:

- B. *Definitions.* The following definitions shall be applied for purposes of this ordinance:
  - 1. *Alley.* A public way, the right-of-way of which is less than thirty-five (35) feet in width.
  - 2. *Adult entertainment business.* An adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult motion picture arcade, adult cabaret, adult drive-in theater, adult live entertainment arcade or adult services establishment (all as defined in the Commercial Zoning Ordinance of Marion County, Indiana, 69-AO-1, as amended).
  - 3. *Amusement arcade.* A type of indoor commercial amusement/recreation establishment where more than four (4) amusement machines are available to the public.
  - 4. *Amusement machine.* An amusement device operated by means of the insertion of a coin, token, or similar object for the purpose of entertainment, amusement or skill and for the playing of which a fee is charged. "Amusement Machine" does not include vending machines which do not incorporate gaming amusement or skill features, nor does the term include any coin-operated mechanical musical device.
  - 25. *Attached multi-family dwellings.* A building or buildings for residential purposes with three or more dwelling units, having common or party wall or walls, on a single lot. Each unit is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common or individual stairwell(s) exterior to any dwelling unit(s).
  - 6. *Commercial amusement/recreation establishment indoor.* A facility wholly enclosed in a building that offers entertainment or games of skill to the general public for a fee. This includes but is not limited to such facilities as bowling alleys, billiard parlors, dance halls, sports facilities or amusement arcades.
  - 37. *Dwelling unit.* One or more rooms connected together in a residential building or residential portion of a building, which are arranged, designed, used and intended for use by one or more human beings living together as a family and maintaining a common household for owner occupancy or rental or lease on a weekly, monthly, or longer basis; and which includes lawful cooking, eating, sleeping space and sanitary facilities reserved solely for the occupants thereof.

48. *Family.* One or more human beings related by blood, marriage, adoption, or guardianship together with incidental domestic servants and temporary, non-compensating guests; or, not more than four (4) human beings not so related, occupying a dwelling unit and living as a single housekeeping unit.
9. *Grocery store.* A commercial establishment, commonly known as a supermarket or food store, primarily engaged in the retail sale of canned foods and dry goods, such as tea, coffee, spices, sugar, and flour; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry.
10. *Liquor store, package.* A facility principally for the retail sale of alcoholic beverages for off-premise consumption.
- §11. *Lot.* Any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or parcel of land or site which is occupied, or intended for occupancy by one (1) principal use.
612. *Net floor area.* The sum of the gross horizontal areas of the one or several floors and basements of the building or portions thereof devoted to permitted uses, not including, however: floor areas devoted primarily to storage purposes; floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or floor area used for toilets, rostrums, utilities, lounges, elevator shafts, main corridors and stair wells, or cafeterias for the use of employees only. Provided, however, for the purposes of determining off-street loading requirements, net floor area shall include floor area devoted primarily to storage purposes, but shall otherwise be defined as above.
13. *Night club.* An establishment engaged primarily in offering entertainment to the general public, in the form of music for dancing or live or recorded performances. The establishment may or may not engage in the preparation and retail sale of alcoholic beverages for consumption on the premises. For the purposes of this ordinance, an establishment of a similar nature which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall not be construed to be a night club, but rather an indoor commercial amusement/recreation establishment.
14. *Protected district.* Specific classes of zoning districts which, because of their low intensity or the sensitive land uses permitted by them, require additional buffering and separation when abutted by certain more intense classifications of land use. A protected district shall include any Dwelling District, Hospital District, Parks District, University Quarter District, SU-1 (Church) District or SU-2 (School) District.
715. *Public area.* Land owned or controlled by a governmental unit for public use, including but not limited to sidewalks, plazas and parks.
816. *Signs.* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.
917. *Sky exposure plane.* An imaginary sloping surface, consisting of three types, rising over designated lots in the CBD-1 and CBD-2, as specified in Sections 2.01, B, 2 and 2.02, B, 2 for purposes of limiting height of building, signs and other structures.
- (1) *Sign exposure plane one.*
- a. On each street in the CBD-1 designated in Section 2.01, B, 2, b (1) (excepting Monument Circle) and in the CBD-2 designated in Section 2.02, B, 2, b (1), the Sky Exposure Plane One shall have a base which is coincident with the centerline of each said street, and
  - b. at the base has an elevation equal to the average elevations above mean sea level of the street centerline from the intersection of one street center to the intersection of the next, and

- c. is included at an angle of seventy-eight degrees (78°) measured from the horizontal, and
- d. extends to a vertical elevation of three hundred (300) feet above the base, and
- e. then continues vertically at an angle of ninety degrees (90°) measured from the horizontal, and
- f. extends to a vertical elevation, above the base, equal to infinity.

(2) *Sky exposure plane two.*

- a. On all streets in the CBD-2 (excepting those street specifically designated in Section 2.02, B, 2 (1), the Sky Exposure Plane Two shall have a base which is coincident with the centerline of each said street, and
- b. at the base has an elevation equal to the average elevation above mean sea level of the street centerline from the intersection of one street centerline to the intersection of the next, and
- c. is inclined at an angle of sixty degrees (60°) measured from the horizontal, and
- d. extends to a vertical elevation of two hundred (200) feet above the base, and
- e. then continues vertically at an angle of ninety degrees (90°) measured from the horizontal, and
- f. extends to a vertical elevation, above the base, equal to infinity.

(3) *Sky exposure plane three.*

- a. In the case of all lots abutting Monument Circle, in the CBD-1, as designated in Section 2.01, B, 2, b (1), the Sky Exposure Plane Three shall have a base which is coincident with the centerline of the street, and
- b. at the base has an elevation equal to the average elevation above mean sea level of the street centerline from the intersection of one street centerline to the intersection of the next, and
- c. is inclined at an angle of sixty-seven and one-half degrees (67.5 ) measured from the horizontal, and
- d. extend to a vertical elevation of one hundred eight (108) feet above the base, and
- e. then continues at an angle of seventy-four degrees (74 ) measured from the horizontal, and
- f. extends to a vertical elevation of one hundred fifty (150) feet above the base, and
- g. then continues horizontally at an angle of zero degrees (0 ) measured from the horizontal, and
- h. extends to the alleys known as Wabash, Scioto, Bird and Court Streets.

1018. Street. A public way, the right-of-way of which is at least thirty-five (35) feet in width.

19. Tavern. An establishment used primarily for the serving of liquor by the drink to the general public, but where minors cannot be within the use, and where food or packaged liquors may be served or sold only as accessory to the primary use.

~~1120~~. Total adjusted net floor area.

(1) For determining required off-street loading.

- a. To determine total adjusted net floor area:
  1. Total the net floor area devoted to each use within the building.
  2. Multiply the total net floor area for each use by the loading floor area factor for such use, as specified in b. below.
  3. Add the results of 2. above - this is the total adjusted net floor area.
- b. Loading Floor Area Factors:
  1. Retail Sales and Services - 2.0.
  2. Business, Professional and Consumer Service, Hotels and Motor Hotels - 1.0.
  3. Manufacturing and Wholesale (exclusive of office, sales and display area) - 2.5.
  4. Residential and Apartment Hotels - 0.5.

(2) For determining off-street parking.

- a. To determine total adjusted net floor area:
  1. Total the net floor area devoted to each use within the building.
  2. Multiply the total net floor area for each use by the parking floor area factor for such use, as specified in b. below.
  3. Add the results of 2. above - this is the total adjusted net floor area.
- b. Parking Floor Area Factors:
  1. Retail Sales and Services - 2.0.
  2. Residential and Apartment Hotels - 1.0.
  3. Manufacturing - 3.0.
  4. Hotel and Motor Hotels - 3.0.
  5. Business, Professional and Consumer Service, and Wholesale - 1.0.

G. That Section 2.06, B be amended by inserting Diagram A.

SECTION 3. Severability. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of the Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to severable.

SECTION 4. Attestation. This ordinance shall be in full force and effect upon its adoption with IC 36-7-4.

PROPOSAL NO. 270, 1997. Councillor Curry stated that the Rules and Public Policy Committee heard Proposal No. 270, 1997 on May 20, 1997. The proposal, sponsored by Councillors Coonrod, Cockrum, O'Dell, Talley, and Tilford, abolishes the Marion County Board of Tax Adjustment. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider stated that the tax adjustment board is the only way the Council has to view the school board's budgets.

Councillor Hinkle stated that he has served as a Council appointee to the tax adjustment board and that he opposes Proposal No. 270, 1997.

Councillor Franklin stated that he previously served as the fiscal analyst for the board and that the board does not really accomplish anything. He added that he supports Proposal No. 270, 1997.

Councillor Curry moved, seconded by Councillor Franklin, for adoption. Proposal No. 270, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 270, 1997 was retitled GENERAL ORDINANCE NO. 87, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1997

A GENERAL ORDINANCE abolishing the Marion County Board of Tax Adjustment.

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

SECTION 1. The Revised Code of the City and County is hereby amended by adding a new Article IV in Chapter 281 to read as follows:

Article IV. County Board of Tax Adjustment

Section 281-401. County Board of Tax Adjustment abolished.

Pursuant to IC 6-1.1-29-9, the Marion County Board of Tax Adjustment is hereby abolished.

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

PROPOSAL NO. 304, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 304, 1997 on May 27, 1997. The proposal, sponsored by Councillors Coonrod, Cockrum, Massie, and Talley, establishes a new procedure for classifying and establishing salaries of county employees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor Coonrod, for adoption. Proposal No. 304, 1997, as amended, was adopted on the following roll call vote; viz:

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

1 NAY: Hinkle

2 NOT VOTING: Gray, O'Dell

Proposal No. 304, 1997, as amended, was retitled GENERAL ORDINANCE NO. 88, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1997

A GENERAL ORDINANCE establishing a new procedure for classifying, establishing, and funding salaries of county employees.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Article I in Chapter 283 to read as follows:

CHAPTER 283.

ARTICLE I. MARION COUNTY SALARY RECOMMENDATION PANEL

Sec. 283-111. Marion County Salary Recommendations Panel created.

There is hereby created a Marion County Salary Recommendations Panel.

Sec. 283-112. Members, appointment and qualifications.

(a) The Panel shall consist of three members appointed by the City-County Council:

- (1) Two members of the Panel shall be nominated by the leader of the members of the City-County Council who are members of the political party having the largest representation on the Council.
- (2) One member of the Panel shall be nominated by the leader of the members of the City-County Council who are members of the political party having the second-largest representation on the Council.

(b) The Panel nominations shall be certified to the Clerk by the Leaders of the respective Caucuses as soon as practicable after April 1 of each year. The Panel nominees shall then be confirmed as a group by a majority vote of the Council; otherwise, if they are not confirmed, there shall be no Panel for that calendar year. Members of the Panel shall serve until their duties under Article VI of Chapter 291 of this Code are performed, or until July 20 of the year of their appointment, whichever is sooner.

(c) Qualifications required for membership on the Panel are as follows.

- (1) Each member must be a resident freeholder of Marion of Marion County,
- (2) Each member must be an executive having substantial responsibility for determining compensation levels in a private, for-profit, organization or have substantial experience in the field of human resources, or have substantial experience as an executive responsible for determining or recommending compensation levels in governmental organizations.
- (3) No member may be an employee of Marion County, the City of Indianapolis, the Health and Hospital Corporation, the Indianapolis-Marion County Building Authority, the Indianapolis-Marion County Airport Authority, or any other entity whose governing authority is substantially appointed by officials of Marion County and the City of Indianapolis.



(d) Vacancies which occur on the Panel shall be filled by nomination by the same Council members who nominated the departed member subject to confirmation by a majority vote of the Council.

Sec. 283-113. Officers and quorum.

(a) A quorum of the Panel shall be two.

(b) The first meeting of the Panel shall be called by the Clerk of the Council or the Clerk's designee, who shall preside until the Panel shall have chosen a Chairperson from among its members. The Chairperson shall preside when present. The panel shall then choose a Vice-Chairperson to preside in the absence of the Chairperson. The Clerk or the Clerk's designee shall act as secretary of the Panel. The Panel shall govern its own affairs within the limits imposed by the Indianapolis Code.

Sec. 283-114. Staff.

The Panel and its individual members shall be entitled to reimbursement for their necessary and direct expenses, subject to the approval of the President of the Council. The Panel shall also be entitled to office facilities, clerical support, legal counsel, and the assistance of consultants, subject to the approval of the President of the Council and payable from appropriations to the Council office.

Sec. 283-115. Duties.

The Marion County Salary Recommendations Panel shall perform those duties assigned to it by Article VI of Chapter 291 of this Code.

SECTION 2. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Article VI in Chapter 291 to read as follows:

CHAPTER 291. PERSONNEL

ARTICLE VI. COUNTY COMPENSATION SYSTEM

Sec.291-605. Transition to new classifications.

(a) As soon as practicable after March 1 of each year there shall be appointed an ad hoc committee of the Council consisting of three to seven members of the Administration and Finance Committee and the Public Safety Committee. The committee shall be known as the Ad Hoc County Personal Services Committee. The membership of the committee is not limited to members of the Administration and Finance Committee and Public Safety Committee, but may include members of any standing committee that customarily has responsibility for reviewing County appropriations. The Chairman of the Administration and Finance Committee shall be the chairman of the committee and the Chairman of the Public Safety Committee shall be the vice chairman of the committee, provided that they may appoint others to serve in their places. The other members of the committee are appointed by the Chairman of the Administration and Finance Committee, in consultation with the chairmen of other standing committees which customarily have responsibility for County appropriations. All appointments are subject to the approval of the Committee on Committees.

(b) The Ad Hoc County Personal Services Committee shall focus on a partnership with county government in researching and identifying efficiencies and revenues needed to finance moving the county salary schedule toward and to market value, at the midpoint, as well as keeping the salary schedule current with necessary cost of living adjustments. This research and identification shall be based on criteria determined by the committee, but should include consideration of the rate of turnover in county employment units, the degree of unfavorable variance of salaries from the midpoints of job classification ranges, as well as prior year budget reversions.

Sec. 291-611. Duties of Salary Recommendation Panel.

(a) The Panel is directed to recommend the level of salary of each employing official in County Government whose compensation is derived primarily from a salary paid from the County treasury, and the State treasury when the law provides for salary payments by the State to a local official. Recommendations must be consistent with any statutory limitations on the compensation which may be

paid by County government. Salaries of officers whose compensation may be determined by contract authorized by Sec. 2-23 of the Code shall be excluded from Panel review.

(b) In recommending each salary, the Panel shall consider any other compensation of material value that is customarily provided to the employing official, including fringe benefits. The Panel shall also consider the length of the work day and work week and the number of days worked per year that is customary for the employing official. In the context of these considerations, the Panel shall employ the following four criteria in recommending salaries and give them equal weight.

- (1) Parity with City department and division heads
- (2) Comparability with private sector
- (3) Salary range in the County's normal classification system
- (4) Comparability with similar government organizations

In instances where the employing official is appointed and serves at the pleasure of a Board or other official, the Panel shall recommend a range of salaries, with the object of allowing the appointing authority to set the actual salary.

(c) The Panel shall recommend salaries with the object of the recommendations being implemented on the first day of the coming calendar year, except in the case of employing officials who regularly serve terms greater than one year. In these instances, the recommendations of the Panel shall be made in the year prior to the year an individual is regularly selected to serve. In other years, the Panel shall recommend only the amount of a cost of living adjustment.

(d) The Panel may take action up to July 20 of the year of their appointment, at which time its recommendations shall be recorded by the Clerk and certified by him to the Auditor. In the event the Panel has taken no action to recommend a salary for an employing official, the absence of a recommendation shall be treated as a recommendation that the salary or range of salaries for that employing official be left unchanged.

Sec. 291-612. Duties of auditor.

The Auditor, in presenting the next proposed budget ordinance to the Council as required by law, shall incorporate the recommendations of the Panel into the text. The Council shall then consider the Panel's recommendations as an integral part of the proposed budget ordinance.

PROPOSAL NO. 359, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 359, 1997 on May 27, 1997. The proposal approves a transfer of \$700 in the 1997 Budget of the County Coroner (County General Fund) to pay the cost of technology wiring out of the proper character. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Talley, for adoption. Proposal No. 359, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Black, Bradford, Gilmer, Shambaugh*

Proposal No. 359, 1997 was retitled FISCAL ORDINANCE NO. 53, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Seven Hundred Dollars (\$700) in

the County General Fund for purposes of the County Coroner and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(g) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Coroner to pay the cost of technology wiring out of the proper character.

SECTION 2. The sum of Seven Hundred Dollars (\$700) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>700</u>
TOTAL INCREASE	700

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

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Capital Outlay	<u>700</u>
TOTAL DECREASE	700

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

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 323-337, 340, and 358, 1997 on May 28, 1997.

PROPOSAL NO. 323, 1997. The proposal, sponsored by Councillor Borst, authorizes a traffic signal at Bluff Road and Sumner Avenue (District 25). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Borst, for adoption. Proposal No. 323, 1997 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, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*
- 0 NAYS:
- 2 NOT VOTING: *Black, Talley*

Proposal No. 323, 1997 was retitled GENERAL ORDINANCE NO. 89, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1997

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>
38	Bluff Rd, Sumner Av	Bluff Rd	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>
38	Bluff Rd, Sumner Av	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 made the following motion:

Mr. President:

I move that City-County Council Proposal Nos. 324 and 325, 1997, Section 2, be amended by changing University Avenue to University Boulevard.

Councillor Brents seconded the motion and Proposal Nos. 324 and 325, 1997 were amended by a unanimous voice vote.

Councillor Gilmer asked for consent to vote on Proposal Nos. 324-326, 1997 together. Consent was given.

PROPOSAL NO. 324, 1997. The proposal, sponsored by Councillor Brents, authorizes a traffic signal at University Boulevard (formerly Agnes Street) and Vermont Street (District 16).  
 PROPOSAL NO. 325, 1997. The proposal, sponsored by Councillor Brents, authorizes a traffic signal at University Boulevard (formerly Agnes Street) and North Street (District 16).  
 PROPOSAL NO. 326, 1997. The proposal, sponsored by Councillor Brents, authorizes a traffic signal at New York Street and Blake Street (District 16). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 324 and 325, 1997, as amended, and Proposal No. 326, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 324, 1997, as amended, was retitled GENERAL ORDINANCE NO. 91, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 91, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

June 9, 1997

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>
24	Agnes St, Vermont St	Agnes 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>
24	University Blvd, Vermont St	None	Signal

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

Proposal No. 325, 1997, as amended, was retitled GENERAL ORDINANCE NO. 90, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 90, 1997

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>
24	Agnes St, North St	Agnes 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>
24	University Blvd, North St	None	Signal

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

Proposal No. 326, 1997 was retitled GENERAL ORDINANCE NO. 92, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Blake St, New York St	None	Signal

SECTION 2. 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. 327-336, 1997 together. Consent was given.

PROPOSAL NO. 327, 1997. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Woodland Place Subdivision, Section 1 (District 1). PROPOSAL NO. 328, 1997. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for the Bretton Woods Subdivision, Section 3 (District 1). PROPOSAL NO. 329, 1997. The proposal, sponsored by Councillor Coughenour, authorizes intersection controls for Cherry Tree Estates Subdivision, Sections 1, 2, and 3 (District 24). PROPOSAL NO. 330, 1997. The proposal, sponsored by Councillor Dowden, authorizes intersection controls for Kessler Common Subdivision, Sections 1 and 2 (District 4). PROPOSAL NO. 331, 1997. The proposal, sponsored by Councillor Coonrod, authorizes intersection controls for the Park East Industrial Park, Sections 1, 2, and 3 (District 5). PROPOSAL NO. 332, 1997. The proposal, sponsored by Councillor Hinkle, authorizes intersection controls for the Country Club Estates (District 18). PROPOSAL NO. 333, 1997. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Brisbane Road and Melbourne Road (District 2). PROPOSAL NO. 334, 1997. The proposal, sponsored by Councillor Talley, authorizes a multi-way stop at 42nd Street and Kitley Avenue (District 14). PROPOSAL NO. 335, 1997. The proposal, sponsored by Councillor Gray, authorizes a multi-way stop at 27th Street and Rader Street (District 9). PROPOSAL NO. 336, 1997. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at Broadway Street and 15th Street (District 22). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 327-336, 1997 were adopted on the following roll call vote; viz:

27 YEAS: Black, 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:  
2 NOT VOTING: Borst, Golc

Proposal No. 327, 1997 was retitled GENERAL ORDINANCE NO. 93, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16	Golden Meadow Dr, 46th St	46th St	Stop
16	Golden Meadow Ct, Woodland Way	Woodland Way	Yield
16	Woodland Ct, Woodland Way	Woodland Way	Yield
16	Woodland Dr, 46th St	46th St	Stop

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

Proposal No. 328, 1997 was retitled GENERAL ORDINANCE NO. 94, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1997

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>
10	Bretton Wood Dr, Tates Way	Tates Way	Stop\
10	Greybudd Ct, Grebudd Dr	Creybudd Dr	Yield
10	Greybudd Dr, Tates Way	Tates Way	Stop

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

Proposal No. 329, 1997 was retitled GENERAL ORDINANCE NO. 95, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Bing Ct, Cherry Birch Dr	Cherry Birch Dr	Stop
40	Black Cherry Cir, Cherry Blossom Blvd	Cherry Blossom Blvd	Stop
40	Cherry Birch Dr, Cherry Blossom Blvd	Cherry Blossom Blvd	Stop
40	Cherry Blossom Blvd, Gray Rd	Gray Rd	Stop
40	Cherry Blossom Blvd, Rum Cherry Way	Rum Cherry Way	Stop
40	Cherry Blossom Blvd, Cherry Blossom Ct	Cherry Blossom Blvd	Stop
40	Cherry Field Dr, Rum Cherry Way	Cherry Field Dr	Stop

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

Proposal No. 330, 1997 was retitled GENERAL ORDINANCE NO. 96, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Common Cir, Common Vista Way, Common Way	Common Vista Way	Stop
12	Common View Cir, Common Vista Ct, Common Way	None	All Way Stop



12	Common Vista Cir, Common Way, Kessler Common Blvd	Common Vista Cir,	Stop
12	Common Vista Way, Fall Creek Rd	Fall Creek Rd	Stop
12	Common Way, Common Way Ct	Common Way	Yield
12	Kessler Blvd E Dr., Kessler Common Blvd	Kessler Blvd E Dr.	Stop

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

Proposal No. 331, 1997 was retitled GENERAL ORDINANCE NO. 97, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1997

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>
21	Mitthoefer Rd, Park Davis Dr	Mitthoefer Rd	Stop
21	Park Davis Dr, Park Davis Ln	Park Davis Dr	Stop

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

Proposal No. 332, 1997 was retitled GENERAL ORDINANCE NO. 98, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Country Club Blvd, Country Club Rd	Country Club Rd	Stop

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

Proposal No. 333, 1997 was retitled GENERAL ORDINANCE NO. 99, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1997

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>
17	Brisbane Rd, Melbourne Rd	Melbourne Rd	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>
17	Brisbane Rd, Melbourne Rd	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. 334, 1997 was retitled GENERAL ORDINANCE NO. 100, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1997

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>
20	42nd St, Kitley Av	42nd 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>
20	42nd St, Kitley 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. 335, 1997 was retitled GENERAL ORDINANCE NO. 101, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1997

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>
17	27th St, Rader St	27th 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>
17	27th St, Rader St	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. 336, 1997 was retitled GENERAL ORDINANCE NO. 102 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1997

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>
25	Broadway St, 15th St	15th 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>
25	Broadway St, 15th St	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. 337, 1997. The proposal, sponsored by Councillor Short, authorizes parking restrictions on Prospect Street near Vandeman Street (District 21). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal No. 337, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 337, 1997 was retitled GENERAL ORDINANCE NO. 103, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1997

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Prospect Street, on the south side,  
 from 300 feet west of Vandeman Street  
 to a point 700 feet west of Vandeman Street

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

PROPOSAL NO. 340, 1997. The proposal, sponsored by Councillor Schneider, authorizes the lowering of the speed limit on Allisonville Road from 82nd Street to 86th Street (District 3). By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 340, 1997 was adopted on the following roll call vote; viz:

June 9, 1997

20 YEAS: Black, Borst, Bradford, Brents, Cockrum, Coonrod, Curry, Gilmer, Jones, Massie, McClamroch, Moores, Moriarty Adams, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

1 NAY: Boyd

8 NOT VOTING: Coughenour, Dowden, Franklin, Golc, Gray, Hinkle, O'Dell, Schneider

Proposal No. 340, 1997 was retitled GENERAL ORDINANCE NO. 104, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1997

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

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

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

45 MPH

Allisonville Road, from  
Fall Creek Parkway to 96th Street

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

45 MPH

Allisonville Rd, from  
Fall Creek Parkway to 82nd Street

45 MPH

Allisonville Road, from  
86th Street to 96th Street

40 MPH

Allisonville Road, from  
82nd Street to 86th Street

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

PROPOSAL NO. 358, 1997. The proposal, sponsored by Councillor Bradford, authorizes multi-way stops at Carrollton Avenue and 57th Street, Carrollton Avenue and 58th Street, and Carrollton Avenue and 59th Street (District 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Bradford, for adoption. Proposal No. 358, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: Coughenour, Franklin, Golc, Gray, Shambaugh

Proposal No. 358, 1997 was retitled GENERAL ORDINANCE NO. 105, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Carrollton Av & 57th St	Carrollton Av	Stop
11	Carrollton Av & 58th St	58th St	Stop
11	Winthrop Av & 57th St	57th 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>
11	Carrollton Av & 57th St	None	All Way Stop
11	Carrollton Av & 58th St	None	All Way Stop
11	Winthrop Av & 57th St	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.

**NEW BUSINESS**

The President urged the Committee Chairman to get their revisions to the calendar of meeting dates to the Clerk as soon as possible so that the calendar can be distributed.

June 9, 1997

## 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) Councillor Moriarty Adams in memory of Joseph Kunkel; and
- (2) Councillor Hinkle in memory of Peggy Dollard; and
- (3) Councillor Golc in memory of Bonnie LaRussa; and
- (4) Councillor Schneider in memory of George W. Keen, Jr.

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 Joseph Kunkel; Peggy Dollard; Bonnie LaRussa; and George W. Keen, Jr. 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 10:28 p.m.

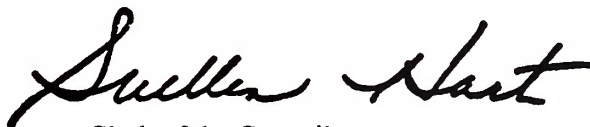
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of June, 1997.

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



President

ATTEST:



Clerk of the Council

(SEAL)