

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

**REGULAR MEETINGS
MONDAY, JUNE 23, 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 7:16 p.m. on Monday, June 23, 1997, with Councillor SerVaas presiding.

Councillor Borst 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:

27 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, Smith, Talley, Tilford
2 ABSENT: Short, Williams

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer introduced Paul Larson, the new president of Mobility Management. Mr. Larson shared a brief occupational history and stated that he is impressed with the enthusiasm of the staff and will work for the good of this City. Councillor Curry recognized former Lieutenant Governor John Mutz.

OFFICIAL COMMUNICATIONS

Mayor Stephen Goldsmith made a brief presentation regarding the financing plans of the City for new capital expenditures such as the Convention Center expansion and the new arena. He

explained the diversion of funds from the annual revenue of the sports district and encouraged the Council's support of these funding proposals.

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

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

Ladies And Gentlemen :

You are hereby notified 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 23, 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

June 10, 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* on Wednesday, June 11, 1997, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, June 12, 1997, a copy of a Notice of Public Hearing on Proposal Nos. 360, 376, 377, 378, and 382, 1997, said hearing to be held on Monday, June 23, 1997, at 7:00 p.m. in the City-County Building.

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

June 13, 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. 43, 1997 - 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

FISCAL ORDINANCE NO. 44, 1997 - 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

FISCAL ORDINANCE NO. 45, 1997 - 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

FISCAL ORDINANCE NO. 46, 1997 - 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

FISCAL ORDINANCE NO. 47, 1997 - 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

FISCAL ORDINANCE NO. 48, 1997 - 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

FISCAL ORDINANCE NO. 49, 1997 - 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

FISCAL ORDINANCE NO. 50, 1997 - 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

FISCAL ORDINANCE NO. 51, 1997 - 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

FISCAL ORDINANCE NO. 52, 1997 - 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

FISCAL ORDINANCE NO. 54, 1997 - 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

GENERAL ORDINANCE NO. 82, 1997 - imposes the county supplemental auto rental excise tax

GENERAL ORDINANCE NO. 83, 1997 - increases the county innkeeper's tax from 5% to 6%

GENERAL ORDINANCE NO. 84, 1997 - allows an expansion of the local excise tax known as the county admissions tax

GENERAL ORDINANCE NO. 87, 1997 - abolishes the Marion County Board of Tax Adjustment

GENERAL ORDINANCE NO. 88, 1997 - establishes a new procedure for classifying and establishing salaries of county employees

GENERAL ORDINANCE NO. 89, 1997 - authorizes a traffic signal at Bluff Road and Sumner Avenue (District 25)

GENERAL ORDINANCE NO. 90, 1997 - authorizes a traffic signal at University Boulevard (formerly Agnes Street) and North Street (District 16)

GENERAL ORDINANCE NO. 91, 1997 - authorizes a traffic signal at University Boulevard (formerly Agnes Street) and Vermont Street (District 16)

GENERAL ORDINANCE NO. 92, 1997 - authorizes a traffic signal at New York Street and Blake Street (District 16)

GENERAL ORDINANCE NO. 93, 1997 - authorizes intersection controls for Woodland Place Subdivision, Section 1 (District 1)

GENERAL ORDINANCE NO. 94, 1997 - authorizes intersection controls for the Bretton Woods Subdivision, Section 3 (District 1)

GENERAL ORDINANCE NO. 95, 1997 - authorizes intersection controls for Cherry Tree Estates Subdivision, Sections 1, 2, and 3 (District 24)

GENERAL ORDINANCE NO. 96, 1997 - authorizes intersection controls for Kessler Common Subdivision, Sections 1 and 2 (District 4)

GENERAL ORDINANCE NO. 97, 1997 - authorizes intersection controls for the Park East Industrial Park, Sections 1, 2, and 3 (District 5)

GENERAL ORDINANCE NO. 98, 1997 - authorizes intersection controls for the Country Club Estates (District 18)

GENERAL ORDINANCE NO. 99, 1997 - authorizes a multi-way stop at Brisbane Road and Melbourne Road (District 2)

GENERAL ORDINANCE NO. 100, 1997 - authorizes a multi-way stop at 42nd Street and Kitley Avenue (District 14)

GENERAL ORDINANCE NO. 101, 1997 - authorizes a multi-way stop at 27th Street and Rader Street (District 9)

GENERAL ORDINANCE NO. 102, 1997 - authorizes a multi-way stop at Broadway Street and 15th Street (District 22)

GENERAL ORDINANCE NO. 103, 1997 - authorizes parking restrictions on Prospect Street near Vandeman Street (District 21)

GENERAL ORDINANCE NO. 104, 1997 - authorizes the lowering of the speed limit on Allisonville Road from 82nd Street to 86th Street (District 3)

GENERAL ORDINANCE NO. 105, 1997 - authorizes multi-way stops at Carrollton Avenue and 57th Street, Carrollton Avenue and 58th Street, and Carrollton Avenue and 59th Street (District 7)

SPECIAL RESOLUTION NO. 45, 1997 - recognizes IPD-East Accident Investigator LaVerne Sanborn for receiving the Ruthann Popcheff Memorial Award for compassion to crime victims

SPECIAL RESOLUTION NO. 46, 1997 - recognizes the Edmonson and O'Neal Second Annual Family Reunion

SPECIAL RESOLUTION NO. 47, 1997 - recognizes retiring DPW Solid Waste Division Director Andrew "Andy" Sims

SPECIAL RESOLUTION NO. 48, 1997 - designates two of Indianapolis' most difficult crime problem areas as public safety improvement zones and eligible for future grant considerations

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of June 9, 1997. There being no additions or corrections, the minutes were approved as distributed.

SPECIAL BUSINESS

A. Public hearing for information on Capital Improvements Board Bonds for Convention Center expansion and new sports arena

PSI Energy president John Mutz, Senator William Crawford, Central Indiana Building Trades president Tom O'Donnell, Indianapolis Downtown, Inc. director Tamara Zahn, citizen Bill Thompson, and Market Square Arena Manager Rick Fuson voiced their support of a new arena and the funding package. They detailed economic growth, retention of sports franchises, creation of jobs, and City pride as the reasons for their support.

Citizens Charles Eldridge, Abdul Henderson, Mohammar Rigden, and Jeff Lawrenz expressed their opposition to a new arena. They cited the needs for public safety and educational funding as more important than the need for a new arena.

Councillor McClamroch stated that this public hearing is not necessarily tied to Proposal No. 342, 1997, which relates to the issuance of bonds.

Councillor Franklin stated that schools are funded by property taxes and their own taxing districts. These taxes and the sports district taxes are two separate funding sources and money cannot be taken from the sports district to fund schools and education.

B. Proposal No. 342, 1997.

Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 342, 1997 on June 10, 1997. The proposal, sponsored by Councillors Borst and Short, approves the establishment of a Sports Development Area as determined by the Metropolitan Development Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst stated that this is not a new tax, but new money diverted. He re-emphasized his reasons for sponsoring this proposal.

Councillor Talley voiced his support for the proposal.

Jim Snyder, Special Counsel to the Mayor, stated that the principal accrues for 20 years and that he expects revenues from parking and events will pay back over time.

Councillor Moriarty Adams stated that she is concerned about the use of County Option Income Tax (COIT) dollars being used as well as the sales, food, and beverage taxes.

Councillor Black stated that he supports this proposal because of the union-paid work that will be generated.

Councillor Gray stated that he would like to see minorities become major players in this project, and hopes the promises to hire minorities will actually come to pass, unlike what transpired with Circle Centre.

Councillor Smith stated that minority hiring requirements for Circle Centre were actually exceeded. He asked John Klipsch, project manager for the Circle Centre project from the Department of Metropolitan Development, if the minority commitments were met. Mr. Klipsch confirmed that they were. Councillor Smith stated that he supports Proposal No. 342, 1997.

Councillor Gray asked for substantiation of minority hiring with the Circle Centre project. Mr. Klipsch agreed to provide Councillor Gray with this information.

Councillors Coonrod, Bradford, and Gilmer also voiced their support of Proposal No. 342, 1997.

Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 342, 1997 was adopted on the following roll call vote; viz:

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

1 NAY: Moriarty Adams

2 ABSENT: Short, Williams

Proposal No. 342, 1997 was retitled GENERAL ORDINANCE NO. 106, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 106, 1997

A GENERAL ORDINANCE approving the establishing of the Marion County Professional Sports Development Area.

WHEREAS, on June 4, 1997, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), adopted its Resolution of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, Declaring An Area In Marion County, Indiana, As A Professional Sports Development Area And Approving A Development Area Plan, Resolution No. 97-D-052 (the "Declaratory Resolution"), declaring a certain geographical area located within the City of Indianapolis, Indiana (the "City"), as a professional sports development area pursuant to the provisions of IC 36-7-31 (the "Act") and designating said professional sports development area as the Marion County Professional Sports Development Area (the "Tax Area") and approving a professional sports development plan for the Tax Area designated as the Marion County Professional Sports Development Area Plan; and

WHEREAS, on June 18, 1997, the Commission, following a public hearing thereon upon notice as required by law, adopted its Resolution of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, Confirming Resolution No. 97-D-052, Declaring An Area In Marion County, Indiana, As A Professional Sports Development Area And Approving A Development Area Plan, Resolution No. 97-D-056 (the "Confirmatory Resolution") confirming in all respects the Declaratory Resolution; now, therefore:

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

SECTION 1. The City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), hereby approves the determination of the Commission that the Marion County Professional Sports Development Area as set forth in the Declaratory Resolution and confirmed by the Confirmatory Resolution is a professional sports development area under the Act.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, and 36-3-4-16.

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

PROPOSAL NO. 436, 1997. The proposal, sponsored by Councillor Cockrum, recognizes those who helped construct the new parking lot at Carson Park athletic fields. Councillor Cockrum read the proposal and stated that he will present copies of the document to representatives at a later date. Councillor Cockrum moved, seconded by Councillor Golc, for adoption. Proposal No. 436, 1997 was adopted by a unanimous voice vote.

Proposal No. 436, 1997 was retitled SPECIAL RESOLUTION NO. 49, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1997

A SPECIAL RESOLUTION recognizing those who helped construct the new parking lot at Carson Park athletic fields.

WHEREAS, one of the city's parks, known as Carson Park, is used each summer by approximately 500 youth involved in organized baseball, softball and soccer programs; and

WHEREAS, there have been limited parking space available which in turn has created traffic and pedestrian safety problems along High School Road; and

WHEREAS, there has been limited funds available in the Parks Department budget to construct additional parking spaces; and

WHEREAS, the south side of Carson Park could not be used for athletic fields due to the existence of three electrical transmission lines; and

WHEREAS, representatives of the Decatur Youth Athletic Association and local businesses along with representatives of the Parks Department joined together to construct a new gravel drive with approximately 125 parking spaces on the south side of Carson Park requiring approximately 2,500 tons of gravel; 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 Scott Fitzgerald and Dave Perkins of Southside Landfill; Denny Hines of Martin Marietta; Jeff Farmer of Hoosier Equipment Service, Inc.; Joe Thompson, Dave Schwettman, Mark Bertram and Dan Miller of Decatur Youth Athletic Association; and Joe Wynns, Steve Waltz and Terry Shank of the Indianapolis Department of Parks and Recreation for their efforts and contributions to this very worthwhile project.

SECTION 2. It is because of people like these that Indianapolis is a great place to live and raise our families.

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. 437, 1997. The proposal, sponsored by Councillor Tilford, recognizes retiring city Parking Meter Department Manager, Robert E. Lowe. Councillor Tilford read the proposal and presented Mr. Lowe with a copy of the document and a Council pin. Mike Klein, Department of Public Works (DPW) representative, thanked Mr. Lowe for his service. Mr. Lowe thanked the DPW staff and the Council for the recognition. Councillor Tilford moved, seconded by Councillor Coughenour, for adoption. Proposal No. 437, 1997 was adopted by a unanimous voice vote.

Proposal No. 437, 1997 was retitled SPECIAL RESOLUTION NO. 50, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1997

A SPECIAL RESOLUTION recognizing retiring city Parking Meter Department Manager, Robert E. Lowe.

WHEREAS, since graduating from Arsenal Technical High School, Robert E. Lowe has held a number of interesting and challenging career positions; and

WHEREAS, after wearing a U.S. Army uniform during the Cold War, he spent 20 years with the Indianapolis Fire Department, serving as Captain of the Arson Squad from 1975 to 1980; and

WHEREAS, after retiring from the city fire department, Mr. Lowe spent three years as an investigator for the welfare department and a short stint as Chief of the Perry Township Fire Department; and

WHEREAS, Mr. Lowe worked for the city's Weights and Measures Division for eight years and on July 1, 1997, will retire as Manager of the Indianapolis Parking Meter Department; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the lifetime of exemplary public service of Robert E. Lowe.

SECTION 2. Indianapolis is fortunate to have many government employees like Robert E. Lowe who day after day for many years go about their appointed tasks serving the citizens with quiet competence and professionalism.

SECTION 3. The Council wishes him well in the future as he can look forward to spending more time in his leisure pursuits of travel and photography.

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

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

PROPOSAL NO. 438, 1997. The proposal, sponsored by Councillor Coughenour, urges the U.S. President to reject the job-threatening U.N. treaty that would restrict energy usage by developed nations. Councillor Coughenour read the proposal and moved for its adoption.

Councillor Talley stated that he opposes this proposal because its statements are made based on personal conclusions and opinions without facts to rely on for verification.

Councillors Coughenour, SerVaas, Schneider, Curry, and Massie voiced their support of the proposal based on recent newspaper articles and other reading that provide facts to support the proposal.

Councillor Schneider seconded the motion for adoption, and Proposal No. 438, 1997 was adopted on the following roll call vote; viz:

26 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, Smith, Tilford
1 NAY: Talley
2 ABSENT: Short, Williams

Proposal No. 438, 1997 was retitled SPECIAL RESOLUTION NO. 51, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1997

A SPECIAL RESOLUTION urging the U.S. President to reject the job-threatening U.N. treaty that would restrict energy usage by developed nations.

WHEREAS, the U.S. Government is involved in United Nations negotiations aimed at reducing greenhouse emissions in the post-2000 time period; and

June 23, 1997

WHEREAS, these negotiations are expected to culminate in an agreement by the end of 1997 which would legally bind the United States to reduce energy usage; and

WHEREAS, the "Berlin Mandate Decision" already specifically exempts all developing countries from emission reduction requirements, which will preclude meaningful progress worldwide to stabilize carbon dioxide concentrations; and

WHEREAS, the U.N. negotiating parties made a fundamental error when they agreed to negotiate legally-binding restrictions on the United States and other industrialized countries but to exempt high-growth developing countries like China, Mexico, Brazil and Korea from any new carbon reduction commitments; and

WHEREAS, as much as 60 percent of global carbon emissions are expected to come from developing countries in the next few decades; and

WHEREAS, the exclusion of new commitments by developing nations will create a powerful incentive to export jobs and capital from the U.S., shifting greenhouse gas emissions to other countries and do little or nothing to stabilize atmospheric concentrations of carbon; and

WHEREAS, such an uneven playing field will cause the loss of high-paying U.S. jobs in the mining, manufacturing, energy, transport and other sectors; and

WHEREAS, carbon taxes, or equivalent programs, will raise electricity, gasoline and other energy prices significantly to consumers and are highly regressive and most harmful to citizens who live on fixed incomes or work at poverty-level wages; and

WHEREAS, the U.S. Government has not completed a thorough economic analysis of the effects of a treaty on the U.S. economy, even though U.S. negotiators have been at the bargaining table for over 18 months and have agreed to a December, 1997, deadline for finalizing this far-reaching treaty or protocol; 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 urges the President to neither sign nor agree to sign in Kyoto in December, 1997, or thereafter, any agreement that applies mandatory commitments to reduce or limit greenhouse gas emissions only to the developed nations, thereby exempting developing nations; or that adversely affects the prosperity or employment stability of the people of the United States or any region or sector thereof.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 306, 1997. Councillor McClamroch reported that the Economic Development Committee heard Proposal No. 306, 1997 on June 19, 1997. The proposal appoints James Bradford to the Urban Enterprise Association. Due to legal technicalities that prevent Councillor Bradford from serving on this board, the proposal was stricken in committee by a vote of 7-0. Councillor McClamroch moved, seconded by Councillor Borst, to strike. Proposal No. 306, 1997 was stricken by a unanimous voice vote.

PROPOSAL NO. 380, 1997. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 380, 1997 on June 11, 1997. The proposal, sponsored by Councillor McClamroch, reappoints William Brown to the Air Pollution Control Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 380, 1997 was adopted by a unanimous voice vote.

Proposal No. 380, 1997 was retitled COUNCIL RESOLUTION NO. 56, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1997

A COUNCIL RESOLUTION reappointing William Brown to the Air Pollution Control Board.

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

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

William Brown

SECTION 2. The appointment made by this resolution is for a term ending June 4, 2001. 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. 422, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 422, 1997 on June 16, 1997. The proposal approves the Mayor's appointment of Eugene Jones as Executive Director of the Indianapolis Housing Agency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor McClamroch, for adoption. Proposal No. 422, 1997 was adopted by a unanimous voice vote.

Proposal No. 422, 1997 was retitled COUNCIL RESOLUTION NO. 57, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1997

A COUNCIL RESOLUTION approving the Mayor's appointment of Eugene Jones as Executive Director of the Indianapolis Housing Agency.

WHEREAS, pursuant to Section 285-421 of the "Revised Code of the Consolidated City and County, Indiana" a mayoral appointment of the Executive Director of the Indianapolis Housing Agency is subject to confirmation by the Housing Board and by the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has appointed and submitted to this Council the name of Eugene Jones to serve as Executive Director of the Indianapolis Housing Agency, which appointment has been confirmed by the Housing Board; now, therefore:

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

SECTION 1. Eugene Jones is confirmed by the City-County Council to serve as Executive Director of the Indianapolis Housing Agency.

SECTION 2. This resolution shall be in full force and effect upon adoption.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 423, 1997. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Aaron Haith to the Indianapolis Housing Agency Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 425, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the sale of a parcel, comprising approximately 14 acres, of surplus County property associated with former Marion County Healthcare Center to Lagos, Inc., the highest bidder on the parcel at the public auction"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 426, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the sale of a parcel, comprising approximately 26.29 acres, of surplus County property associated with former Marion County Healthcare Center to Stephen Little, the highest bidder on the parcel at the public auction"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 427, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the sale of a parcel, comprising approximately 45.04 acres, of surplus County property associated with former Marion County Healthcare Center to L. Gordon Muesing, the highest bidder on the parcel at the public auction"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 428, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$48,000 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Child Advocates, Inc. for the fiscal year 1997/1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 429, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$24,000 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the Big Sisters program for the 1997/1998 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 430, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$31,200 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Project Impact (purchase of vehicles) for fiscal year 1997/1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 431, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$54,739 in the 1997 Budget of Superior Court, Juvenile Division (State and Federal Grants Fund) to fund the Southside Youth Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 432, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$300,000 in the 1997 Budget of the Marion County Justice Agency (Law Enforcement Fund) to pay salaries and fringe benefits for personnel working with forfeitures originally budgeted in the Law Enforcement Equitable Share Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 433, 1997. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$40,000 in the 1997 Budget of the Forensic Services Agency (County General Fund) to acquire the necessary supplies to accommodate increasing evidence submissions"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 434, 1997. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$40,000 to Indiana University for the purpose of financing educational access cable television programming in Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 435, 1997. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which substitutes the director of the Department of Capital Asset Management for the director of the Department of Public Works as a member and presiding officer of the Board of Asset Management and Public Works"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 439, 1997. Councillor Borst reported that the Economic Development Committee heard Proposal No. 439, 1997 on June 19, 1997. The proposal amends S.R. No. 81, 1996 by extending the expiration date in the inducement resolution through December 31, 1997 for Revken, Inc., or a to-be-named limited partnership or limited liability company, in an amount not to exceed \$14,000,000 to acquire and rehabilitate the existing units and to construct 192 new units at Emerald Green Apartments located at 6363 Commons Drive (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 439, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Moriarty Adams

2 ABSENT: Short, Williams

Councillor Moriarty Adams stated that she abstains due to a conflict of interest.

Proposal No. 439, 1997 was retitled SPECIAL RESOLUTION NO. 52, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1997

A SPECIAL RESOLUTION amending City-County Special Resolution No. 81, 1996, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds

of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, City-County Special Resolution No. 81, 1996 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Revken, Inc. or a to-be-named limited partnership or limited liability company (the "Company") which resolution set an expiration date of June 30, 1997 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

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

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

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of June 30, 1997, contained therein and replacing said date with the date of December 31, 1997.

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

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

PROPOSAL NO. 440, 1997 and PROPOSAL NOS. 441-452, 1997. Introduced by Councillor Hinkle. Proposal No. 440, 1997 and Proposal Nos. 441-452, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 11 and June 19, 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. 125-137, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 125, 1997.

96-Z-135A

4811 SOUTH HIGH SCHOOL ROAD and 6201 MOORESVILLE ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #19

GUTHRIE BUILDING MATERIALS, INC., GUTHRIE DEVELOPMENT CORPORATION, RICHARD B. GUTHRIE, by Mitch Sever, requests a rezoning of 3.0 acres, being in the D-3(FW), C-1 (FW), C-4(FW) and C-5(FW) Districts, to the C-7 (FW) classification to provide for commercial development which may included the relocation of a home improvement center with the addition of mini-warehouses.

REZONING ORDINANCE NO. 126, 1997.

97-Z-14 (97-DP-3) (AMENDED)

2201 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

WELLINGSHIRE JOINT VENTURE, by Thomas Michael Quinn, requests a rezoning of 1182 acres, being in the D-A(FF), SU-23(GSB)(FF), SU-3(FF), D-6(FF), C-3(FF) Districts, to the D-P(GSB)(FF) classification to provide for a residential and golf course community development consisting of twelve single-family residential communities, three multi-family residential communities, a twenty-seven hole golf course, a nine hole golf course, a golf academy, club house

and practice area, three neighborhood commercial centers, three neighborhood commercial service areas, a mini-warehouse use, recreational amenities and open space areas.

REZONING ORDINANCE NO. 127, 1997.

97-Z-98 (97-DP-4)

4802 GEORGETOWN ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9

ARBOR HOMES, by Michael D. Keele, requests a rezoning of 15 acres, being in the D-7(FE)(FW) Districts, to the D-P(FE)(FW) classification to provide for the construction of a planned unit development consisting of 134 single-family lots with private streets and a fitness trail.

REZONING ORDINANCE NO. 128, 1997.

97-Z-107 (97-DP-6)

6401 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

BAY DEVELOPMENT, by Michael D. Keele, requests a rezoning of 100 acres, being in the D-A District, to the D-P classification to provide for single-family residential development consisting of 330 lots and recreational common areas and an 8 acre park.

REZONING ORDINANCE NO. 129, 1997.

97-Z-39

1845 EAST 38th STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.501 acre, being in the D-5 District, to the C-3 classification to conform zoning to the existing commercial use.

REZONING ORDINANCE NO. 130, 1997.

97-Z-49 (Corrected)

9302 WALDEMAR ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

HOMEGATE HOSPITALITY, INC., by Thomas Michael Quinn, requests a rezoning of 4.304 acres, being in the C-2 District, to the C-6 classification to provide for thoroughfare service commercial uses including the development of a hotel.

REZONING ORDINANCE NO. 131, 1997.

97-Z-61

9503 EAST 33rd STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 5

CELADON TRUCKING SERVICE, INC., by Jeffrey Jackson, requests a rezoning of 10.993 acres, being in the I-3-S District, to the I-4-S classification to provide for heavy industrial development including a truck terminal over 10 acres in size.

REZONING ORDINANCE NO. 132, 1997.

97-Z-91

1540 SOUTH BANNER AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

HIGHLAND REALTY, INC., by Ronald L. Baker, requests a rezoning of 2 acres, being in the D-4 District, to the C-4 classification to provide for office and retail businesses.

REZONING ORDINANCE NO. 133, 1997.

97-Z-97 (Corrected)

5488 VICTORY DRIVE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

THOMAS J. HANLEY, by Louis H. Borgmann, requests a rezoning of 1.51 acres, being in the D-4 District, to the C-7 classification to provide for high intensity commercial uses including a specialized hardware store associated with floor covering and related products, tiling and bath fixtures.

REZONING ORDINANCE NO. 134, 1997.

97-Z-108

717 SOUTH ILLINOIS STREET and 716, 720½ RUSSELL STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

RICHARD L. and HELEN M. THOMPSON request a rezoning of 0.19 acre, being in the I-3-U District, to the D-8 classification to provide for residential uses.

REZONING ORDINANCE NO. 135, 1997.

97-Z-109

4851 TINCHER ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 9.27 acres, being in the D-1 District, to the D-3 classification to provide for a map error correction associated with petition 93-Z-132.

REZONING ORDINANCE NO. 136, 1997.

97-Z-111

1501-1503 HOYT AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.2 acre, being in the D-5 District, to the PK-1 classification to provide for a small neighborhood park associated with residential neighborhood.

REZONING ORDINANCE NO. 137, 1997.

97-CP-22Z (Amended)

7448 EAST SOUTHPORT ROAD (approximate address) INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

RUSSELL and VICKIE LAKER request a rezoning of 10 acres, being in the D-A District, to the D-1 classification to provide for single-family residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 308, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 308, 1997 on June 16, 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams asked if any of these monies come from the Indiana Housing Authority. Councillor Hinkle stated that they do not.

The President called for public testimony at 9:16 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 308, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Dowden, Smith

2 ABSENT: Short, Williams

Proposal No. 308, 1997 was retitled SPECIAL RESOLUTION NO. 53, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1997

A SPECIAL RESOLUTION approving the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on September 30, 1996, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 94, 1996, 1997 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such proposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted Phase One of three year/three phase project known as the UNWA Seven Initiatives Plan, which would utilize a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

WHEREAS, Council now finds that the amounts, locations and programmatic operations of each of the projects listed on Phase One of the UNWA Seven Initiatives Plan, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, submitted by the Department of Metropolitan Development, should be approved; now, therefore:

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

SECTION 1. That Phase One of the UNWA Seven Initiatives Plan, for distribution of certain Community Development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amounts, locations and programmatic operation of each project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

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

EXHIBIT A

1997 COMMUNITY DEVELOPMENT BLOCK GRANT
UNWA SEVEN INITIATIVES PLAN, PHASE ONE

United Northwest Area Dev. Corp. (UNWA)

\$336,000 (grant)

The CDC will use grant funds to rehabilitate houses in need of repair (owner occupied and rental property alike) for the benefit of low-income to moderate-income persons and families in an area

surrounded by Riverside Drive East, West 29th Street, Harding and Burdsal Parkway within the UNWA area. The work will be limited to exterior repairs with a vast majority of it being new roofing and vinyl siding.

Phase One is scheduled for 1997 and this \$336,000 of CDBG money is expected to repair 60 homes.

PROPOSAL NO. 360, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 360, 1997 on May 27, 1997. The proposal approves an increase of \$107,531 in the 1997 Budgets of the County Auditor and County Coroner (County General Fund) to cover shortfall in personal services and other services and charges as well as provide funding for emergency technology upgrade of the Coroner's Office financed by fund balances. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:17 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 360, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Coonrod

2 ABSENT: Short, Williams

Proposal No. 360, 1997 was retitled FISCAL ORDINANCE NO. 55, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Seven Thousand Five Hundred Thirty-one Dollars (\$107,531) in the County General Fund for purposes of the County Auditor and County Coroner and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,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 Auditor and County Coroner

SECTION 2. The sum of One Hundred Seven Thousand Five Hundred Thirty-one Dollars (\$107,531) 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 GENERAL FUND</u>
1. Personal Services - Fringes	5,000
<u>COUNTY CORONER</u>	
1. Personal Services	20,000
3. Other Services and Charges	36,468
4. Capital Outlay	<u>46,063</u>
TOTAL INCREASE	107,531

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>107,531</u>
TOTAL REDUCTION	107,531

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. 376-378, 1997 on June 11, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 376, 1997. The proposal 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. PROPOSAL NO. 377, 1997. The proposal 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. PROPOSAL NO. 378, 1997. The proposal 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. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 376-378, 1997 were adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Coonrod, Schneider

2 ABSENT: Short, Williams

Proposal No. 376, 1997 was retitled FISCAL ORDINANCE NO. 56, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 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 Hundred Fifty-four Thousand Six Hundred Seventy-six Dollars (\$1,254,676) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections 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 I. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I.02(b,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 and Community Corrections to cover operational expenses for the fiscal year 1997/1998.

SECTION 2. The sum of One Million Two Hundred Fifty-four Thousand Six Hundred Seventy-six Dollars (\$1,254,676) 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	71,491
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	318,365
2. Supplies	19,475
3. Other Services and Charges	<u>845,345</u>
TOTAL INCREASE	1,254,676

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>1,254,676</u>
TOTAL REDUCTION	1,254,676

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. 377, 1997 was retitled FISCAL ORDINANCE NO. 57, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Eighty-one Thousand Twenty Dollars (\$181,020) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections 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,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 and Community Corrections to fund a juvenile court intensive probation services program for fiscal year 1997/1998.

SECTION 2. The sum of One Hundred Eighty-one Thousand Twenty Dollars (\$181,020) 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	34,331

COMMUNITY CORRECTIONS

1. Personal Services	137,321
3. Other Services and Charges	<u>9,368</u>
TOTAL INCREASE	181,020

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

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>181,020</u>
TOTAL REDUCTION	181,020

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. 378, 1997 was retitled FISCAL ORDINANCE NO. 58, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Two Hundred Eighty-four Thousand One Hundred Seventy-one Dollars (\$284,171) in the Home Detention User Fee Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee 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,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 and Community Corrections to fund salaries, services, home detention equipment and supplies for the fiscal year 1997/1998

SECTION 2. The sum of Two Hundred Eighty-four Thousand One Hundred Seventy-one Dollars (\$284,171) 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>HOME DETENTION USER FEE FUND</u>
1. Personal Services - Fringes	40,118
<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	157,740
2. Supplies	12,500
3. Other Services and Charges	56,313
4. Capital Outlay	<u>17,500</u>
TOTAL INCREASE	284,171

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

HOME DETENTION USER FEE FUND

Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>284,171</u>
TOTAL REDUCTION	284,171

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

PROPOSAL NO. 382, 1997. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 382, 1997 on June 11, 1997. The proposal 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. 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 9:22 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hinkle for adoption. Proposal No. 382, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 382, 1997 was retitled FISCAL ORDINANCE NO. 59, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional One Hundred Eight-five Thousand Ninety-eight Dollars (\$185,098) in the Consolidated County Fund and Federal Grants Fund for purposes of the Department of Public Works, Contract Compliance Division, Environmental Resources Management Division, and Administration Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) 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 Works, Contract Compliance Division, Environmental Resources Management Division, and Administration Division for Brownfields interns, air monitoring equipment and removal of abandoned vehicles.

SECTION 2. The sum of One Hundred Eighty-five Thousand Ninety-eight Dollars (\$185,098) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>CONTRACT COMPLIANCE DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	75,000
3. Other Services and Charges	<u>75,000</u>
TOTAL INCREASE	150,000

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>23,098</u>
TOTAL INCREASE	23,098

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>ADMINISTRATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	<u>12,000</u>
TOTAL INCREASE	12,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>ADMINISTRATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>12,000</u>
TOTAL REDUCTION	12,000

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>173,098</u>
TOTAL REDUCTION	173,098

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 192, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 192, 1997 on May 20, 1997, but that some questions regarding Dr. Hall's testimony had prompted its postponement at the June 23rd Council meeting. The proposal reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor McClamroch, for adoption. Proposal No. 192, 1997 was adopted by a unanimous voice vote.

Proposal No. 192, 1997 was retitled COUNCIL RESOLUTION NO. 55, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1997

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission.

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

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Jack H. Hall, M.D.

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.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 207, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 207, 1997 on June 16, 1997. The proposal, sponsored by Councillors Williams and Hinkle, amends the Sign Regulations of Marion County to permit outdoor cafe signs within the Regional Center and setting forth the standards for such signs (97-AO-7). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Williams, for adoption. Proposal No. 207, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Dowden

2 ABSENT: Short, Williams

Proposal No. 207, 1997 was retitled GENERAL ORDINANCE NO. 107, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1997
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 97-AO-7

A GENERAL ORDINANCE amending the Sign Regulations of Marion County, as amended.

WHEREAS, IC 36-7-4, as amended establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan of Marion County, Indiana; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience and general public welfare may be promoted;

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of the citizens of Marion County in preparing an ordinance which meets the long-term needs of the City/County as a whole; and,

WHEREAS, there has been a proliferation of outdoor cafes within the Regional Center; and,

WHEREAS, it is the desire to increase the excitement and vibrancy of the Regional Center; and,

WHEREAS, increasing the use of outdoor cafes and increasing pedestrian oriented activities is part of the focus of the 1991 Regional Center Plan; and,

WHEREAS, the originally drafted Cafe Ordinance of the City of Indianapolis anticipated signs would be used in connection with cafes; and,

WHEREAS, the Sign Ordinance as it is presently does not permit signs in the public right-of-way, even in concert with an outdoor café; now, therefore:

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

SECTION 1. The Sign Regulations of Marion County, Appendix D, Part 19, of the Municipal Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Numbers 71-AO-4, 86-AO-1, 88-AO-3, 90-AO-2, 91-AO-2, and 94-AO-10, is further amended by adopting the language as follows:

A. that Section 2.20, A shall be amended by adding the underscored language as follows:

Signs in the Public Right-of-Way

No sign or sign structure may be placed on or in the right-of-way of an alley or street, with the exception of government and public signs and signs associated with an approved outdoor cafe within the Regional Center, (as noted in Section 2.40, K.) or projecting signs permitted by this ordinance and having obtained an encroachment license from the proper governmental agency.

B. that Section 2.40 shall be amended by adding the following language:

K. Standards for outdoor cafe signs within the Regional Center:

A sign shall be :

1. No larger than 2' by 2' with an option being that the material may be of slate or plastic where the daily special may be advertised.
2. If the sign is one-sided, then the outdoor cafe owner may erect two signs perpendicular to the building (one for persons approaching the cafe from each direction).
3. If the sign is two sided, then the outdoor cafe owner may erect the free-standing sign on the interior of the outdoor seating area designated for the cafe.
4. The sign, if one-sided, may be linked or attached to the chain, lattice-work or fence which defines the outer limits of the outdoor cafe.
5. Such outdoor signs may remain in place from 7 a.m. to 10 p.m.

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 275, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 275, 1997 on June 10, 1997. The proposal, sponsored by Councillor McClamroch, designates the flowering crabapple as the official tree of Indianapolis. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 275, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 275, 1997 was retitled GENERAL ORDINANCE NO. 108, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1997

A GENERAL ORDINANCE to designate the flowering crabapple as the official tree of Indianapolis.

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

SECTION 1. Chapter 105 of the Revised Code of the Consolidated City and County is hereby amended by inserting a new Sec. 105-5 to read as follows:

Sec. 105-5. Official city tree.

The official city tree is the ornamental flowering crabapple (genus *Malus spp.*)

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

PROPOSAL NO. 285, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 285, 1997 on June 10, 1997. The proposal, sponsored by Councillor McClamroch, prohibits the sales of admission tickets for major events in the vicinity of the event during the ten hours prior to the event. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Gilmer asked who is responsible for enforcing this ordinance. Councillor Curry answered that law enforcement is ultimately responsible, but that event security personnel will also be enforcing the ordinance.

Councillor Golc asked if this applies only to Victory Field. Councillor Curry stated that it applies to other events as well, but that the Indianapolis Indians' management had actually requested this ordinance because of scalping being done in the ticket lines at the box office. Councillor McClamroch added that the Indians' administration is committed to maintaining affordable ticket prices and because of their special discount programming and marketing, they cannot afford to lose ticket sales to scalpers.

Councillor O'Dell stated that he is skeptical about the discount deals that the Indians have to offer, and does not receive return calls from the Indians' administration to answer his inquiries. Councillor Golc added that the Indians could possibly resolve their ticket sales issues by increasing and improving their marketing.

Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 285, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 285, 1997 was retitled GENERAL ORDINANCE NO. 109, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1997

A GENERAL ORDINANCE prohibiting the sales of admission tickets for major events in the vicinity of the event during the ten hours prior to the event.

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 Chapter 431 to read as follows:

CHAPTER 431. STREETS, SIDEWALKS AND PUBLIC WAYS

ARTICLE II. TICKET SELLING

Sec. 431-201. Prohibited ticket sales. It shall be unlawful for any person to engage in the buying or selling of admission tickets to an athletic contest at Victory Field on any public street, sidewalk, or public way within the area, or during the time, specified in Sec. 431-202. For purposes of this section, *to engage in buying or selling* means to sell, buy, or offer to sell or buy.

Sec. 431-202. Restrictions. The restrictions of Sec. 431-201 shall apply:

- (1) to the area bounded on the north by Washington Street, on the east by Missouri Street, on the south by the Conrail track, and on the west by the White River; and
- (2) during the period beginning five (5) hours prior to, and two (2) hours after the scheduled time of such event.

Sec. 431-203. Penalty. Any person violating this article shall be subject to the penalties provided in Sec. 103-3 of this code.

SECTION 2. This ordinance shall be in full force and effect from and after June 1, 1997.

PROPOSAL NO. 307, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 307, 1997 on June 16, 1997. The proposal provides that the executive director of the Indianapolis Housing Agency serve at the pleasure of the mayor. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Black asked if passage of this proposal means that the board does not have the authority to fire or reprimand the director. Councillor Hinkle stated that the board could not fire the director, but could reprimand him.

Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 307, 1997 was adopted on the following roll call vote; viz:

21 YEAS: Black, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Schneider, SerVaas, Shambaugh, Talley, Tilford

4 NAYS: Borst, Coonrod, Franklin, O'Dell

2 NOT VOTING: Moriarty Adams, Smith

2 ABSENT: Short, Williams

Proposal No. 307, 1997 was retitled GENERAL ORDINANCE NO. 110, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1997

A GENERAL ORDINANCE concerning the executive director of the Indianapolis Housing Agency.

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

SECTION 1. Sec. 285-421 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 285-421. Executive director.

The Indianapolis Housing Agency shall be administered by an executive director appointed by the mayor, subject to confirmation by the ~~public housing board and the~~ city-county council, to serve at the pleasure of the ~~board~~ mayor for a designated term.

SECTION 2. 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. 186, 338, and 383-387, 1997 on June 18, 1997.

PROPOSAL NO. 186, 1997. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Sherman Drive and Southern Avenue (District 23). 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 Smith, for adoption. Proposal No. 186, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 186, 1997 was retitled GENERAL ORDINANCE NO. 111, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 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>
33	Sherman Dr, Southern Av	Sherman Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33	Sherman Dr, Southern 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. 338, 1997. The proposal, sponsored by Councillor Brents, authorizes the deletion of parking restrictions on Alabama Street, on the west side, from Court Street to Washington Street (District 16). 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 Brents, for adoption. Proposal No. 338, 1997 was adopted on the following roll call vote; viz:

27 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, Smith, Talley, Tilford
0 NAYS:
2 ABSENT: Short, Williams

Proposal No. 338, 1997 was retitled GENERAL ORDINANCE NO. 112, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1997

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
from 3:00 p.m. to 6:00 p.m.

Alabama Street, on the west side,
from Court Street to Washington Street

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

PROPOSAL NO. 383, 1997. The proposal, sponsored by Councillors Tilford and O'Dell, authorizes a traffic signal at a fire station located at 7403 East 30th Street (District 12). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell asked if it has been decided what type of flasher will be used. Councillor Tilford stated that it has not yet been determined. Councillor O'Dell asked when the flasher will be installed. Councillor Tilford stated that the process should take no more than a

couple of months once approved. Councillor Gilmer moved, seconded by Councillor Tilford, for adoption. Proposal No. 383, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 383, 1997 was retitled GENERAL ORDINANCE NO. 113, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 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 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	30 th St & Fire Station (7403 E 30 th St)	None	Signal

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 384 and 385, 1997 together. Consent was given.

PROPOSAL NO. 384, 1997. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Hoyt Avenue and Randolph Street (District 21). PROPOSAL NO. 385, 1997. The proposal, sponsored by Councillor Brents, authorizes a change in intersection controls at 9th Street and Paca 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 Short, for adoption. Proposal Nos. 384 and 385, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 384, 1997 was retitled GENERAL ORDINANCE NO. 114, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 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>
32	Hoyt Av, Randolph St	Hoyt Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Hoyt Av, Randolph 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. 385, 1997 was retitled GENERAL ORDINANCE NO. 115, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 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	9th St, Paca St	9th 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	9th St, Paca St	Paca St	Stop

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

PROPOSAL NO. 386, 1997. The proposal, sponsored by Councillor Talley, authorizes parking restrictions on 42nd Street from Bari Court to Wittfield Street (District 14). 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 Talley, for adoption. Proposal No. 386, 1997 was adopted on the following roll call vote; viz:

27 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, Smith, Talley, Tilford

0 NAYS:

2 ABSENT: Short, Williams

Proposal No. 386, 1997 was retitled GENERAL ORDINANCE NO. 116, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 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:

Forty-second Street, on the north side,
from Bari Court to Wittfield Street

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

PROPOSAL NO. 387, 1997. The proposal, sponsored by Councillors Jones and Moriarty Adams, 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). 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 Jones, for adoption. Proposal No. 387, 1997 was adopted on the following roll call vote; viz:

27 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, Smith, Talley, Tilford

0 NAYS:

2 ABSENT: Short, Williams

Proposal No. 387, 1997 was retitled GENERAL ORDINANCE NO. 117, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1997

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

Sec. 29-172, Parking time restricted on designated days; and 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. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby, amended by the deletion of the following, to wit:

**ON ANY DAY
EXCEPT SUNDAY
from 7:00 a.m. to 9:00 a.m.**

Tenth Street, on the north side,
from Sherman Drive to Massachusetts Avenue

**ON ANY DAY
EXCEPT SATURDAY AND SUNDAY
from 4:00 p.m. to 6:00 p.m.**

Tenth Street, on the south side,
from Massachusetts Avenue to Sherman Drive

Tenth Street, on the south side,
from Highland Avenue to 1st Alley west of Stillwell Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-272, Parking time restriction on designated days, be, and the same is hereby, amended by the deletion of the following, to wit:

**90 MINUTES
ON ANY DAY EXCEPT SUNDAY
from 9:00 a.m. to 4:00 p.m.**

Tenth Street, on the south side,
from Highland Avenue to 1st Alley west of Stillwell Street

Tenth Street, on the south side,
from Sterling Street to Olney Street

from 7:00 a.m. to 6:00 p.m.

Tenth Street, on the north side,
from Sterling Street to Olney Street

Tenth Street, on the south side,
from Rural Street to a point 105 feet east of Rural Street

Tenth Street, on the south side,
from Stillwell Street to Highland Avenue

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing and parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Tenth Street, on the north side,
from Sterling Street to Tecumseh Street

Tenth Street, on the south side,
from Woodruff Place Middle Drive to 150 feet east
of Woodruff Place Middle Drive

June 23, 1997

Tenth Street, on the north side,
from Jefferson Street to 150 feet east of Jefferson Street

Tenth Street, on the south side,
from Jefferson Street to a point 100 feet west of Jefferson Street

Tenth Street, on the north side,
from a point 50 feet west of Rural Street
to a point 230 feet east of Rural Street

Tenth Street, on the south side,
from 100 feet west of Rural Street
to a point 100 feet east of Rural Street

Tenth Street, on the north side,
from LaSalle Street to a point 50 feet east of LaSalle Street

Tenth Street, on the south side,
from LaSalle Street to a point 50 feet west of LaSalle Street

Tenth Street, on the north side,
from Olney Street to a point 50 feet east of Olney Street

Tenth Street, on the south side,
from Olney Street to a point 50 feet west of Olney Street

Tenth Street, on both sides,
from Kealing Avenue to Bradley Avenue

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

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT

PROPOSAL NO. 381, 1997. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 381, 1997 on June 11, 1997. The proposal 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Tilford, for adoption. Proposal No. 381, 1997 was adopted on the following roll call vote; viz:

27 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, Smith, Talley, Tilford

0 NAYS:

2 ABSENT: Short, Williams

Proposal No. 381, 1997 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1997, and reads as follows:

CITY-COUNTY SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT NO. 3, 1997

A FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 1997 (Fiscal Ordinance No. 3, 1996) transferring and appropriating an additional Five Hundred Sixty-four Thousand Dollars (\$564,000) in the Solid Waste Collection Service District Fund for

purposes of the Department of Public Works, Solid Waste Administration and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT
COUNCIL OF THE CITY INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Solid Waste Administration to pay for overtime costs incurred during January's snow and cold weather days and underbudgeted employee benefits.

SECTION 2. The sum of Five Hundred Sixty-four Thousand Dollars (\$564,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>SOLID WASTE ADMINISTRATION</u>	<u>SOLID WASTE COLLECTION</u> <u>SERVICE DISTRICT FUND</u>
1. Personal Services	<u>564,000</u>
TOTAL INCREASE	564,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>SOLID WASTE ADMINISTRATION</u>	<u>SOLID WASTE COLLECTION</u> <u>SERVICE DISTRICT FUND</u>
4. Capital Outlay	<u>564,000</u>
TOTAL REDUCTION	564,000

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

NEW BUSINESS

Councillor McClamroch asked Councillor Hinkle if the Metropolitan Development Committee could look into a matter regarding zoning for the Little Flower Catholic Church. The church and school has been in existence for 65 years, but has never been properly zoned, and the expenses they are having to incur due to the zoning process is excessive. Councillor Hinkle stated that he will look into the matter.

Councillor Tilford thanked all those who helped make the Department of Public Works Rodeo at 16th and Riverside a success.

Councillor Curry stated that he was pleased to see Council members in attendance at the Husang Chinese Opera which was recently in town.

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 Bradford in memory of Julia E. Lacey; and
- (2) Councillors Bradford and Golc in memory of Charlotte Mary Robertson Okey Lee; and
- (3) Councillor Shambaugh in memory of Donald F. Ross.

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 Julia E. Lacey, Charlotte Mary Robertson Okey Lee, and Donald F. Ross. 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 10:00 p.m.

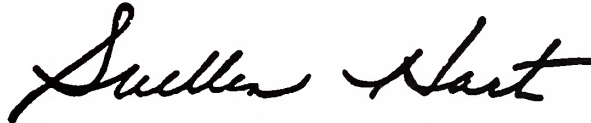
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd 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)