

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

**REGULAR MEETINGS  
MONDAY, OCTOBER 27, 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 7:12 p.m. on Monday, October 27, 1997, with Councillor SerVaas presiding.

Councillor Curry 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:

*28 PRESENT: 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, Short, Smith, Talley, Tilford, Williams*  
*1 ABSENT: Gray*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Moores introduced Lieutenant Steve Elzroth and Captain Eva Talley Sanders, elected members of the Marion County Sheriff's Department Pension Board. Councillor Massie recognized County Clerk Sarah Taylor.

**OFFICIAL COMMUNICATIONS**

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 27, 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

October 14, 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, October 15, 1997, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, October 16, 1997, a copy of a Notice of Public Hearing on Proposal Nos. 650, 651, 653, 654, and 655, 1997, said hearing to be held on Monday, October 27, 1997, at 7:00 p.m. in the City-County Building.

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

October 17, 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. 93, 1997 - approves an increase of \$10,000 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide additional funding for a previously approved grant for a comprehensive traffic safety program funded by a grant from the Governor's Council on Impaired and Dangerous Driving

FISCAL ORDINANCE NO. 94, 1997 - approves an increase of \$15,400 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to increase funding for the Victim Advocate Project funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 95, 1997 - approves an increase of \$196,301 in the 1997 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to acquire live-scan equipment that will allow compliance with the new Automated Finger Imprint System (AFIS) acquisition by the Indiana State Police affording enhanced quality of fingerprint records and ID matching financed by a federal grant

GENERAL ORDINANCE NO. 144, 1997 - authorizes a multi-way stop at Chester Avenue and 75th Street (District 7)

GENERAL ORDINANCE NO. 145, 1997 - authorizes a traffic signal at Edgewood Avenue and Emerson Avenue (Districts 23, 24)

GENERAL ORDINANCE NO. 146, 1997 - authorizes a traffic signal at Emerson Avenue and 25th Street (District 10)

GENERAL ORDINANCE NO. 147, 1997 - authorizes a traffic signal at Fall Creek Road and 71st Street and Briarcliff Road (Districts 4, 5)

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GENERAL ORDINANCE NO. 148, 1997 - authorizes a traffic signal at Arlington Avenue and Raymond Street (District 13)

GENERAL ORDINANCE NO. 149, 1997 - authorizes a traffic signal at German Church Road and 30th Street (District 5)

GENERAL ORDINANCE NO. 150, 1997 - authorizes the addition of parking restrictions on Ray Street between Division Street and River Avenue (District 25)

GENERAL ORDINANCE NO. 151, 1997 - authorizes the removal of parking restrictions on Massachusetts Avenue from College Avenue to Davidson Street (District 22)

GENERAL ORDINANCE NO. 152, 1997 - revises Code to reflect renaming County Line Road East as Carroll Road (Districts 5, 12, 13, 23)

GENERAL ORDINANCE NO. 153, 1997 - authorizes a multi-way stop at 18th Street and Kildare Avenue (District 15)

GENERAL ORDINANCE NO. 154, 1997 - authorizes a multi-way stop at Ohio Street and Whitcomb Avenue (District 18)

GENERAL ORDINANCE NO. 155, 1997 - authorizes a multi-way stop at Lighthouse Way, Snapper Court, and Stingray Drive (District 5)

GENERAL ORDINANCE NO. 156, 1997 - authorizes a multi-way stop at 49th Street and Carvel Avenue (District 6)

GENERAL ORDINANCE NO. 157, 1997 - authorizes a stop sign at Pearl Street and Scioto Street (District 16)

GENERAL ORDINANCE NO. 158, 1997 - authorizes parking restrictions on the north side of 14th Street between Montcalm Street and Rembrandt Street (District 16)

GENERAL ORDINANCE NO. 159, 1997 - authorizes certain parking restrictions for the Decatur Commons Subdivision (District 19)

GENERAL ORDINANCE NO. 160, 1997 - authorizes the removal of the multi-way stop at Balroyal Court and Ellington Drive (District 19)

GENERAL ORDINANCE NO. 161, 1997 - authorizes parking restrictions on Senate Avenue at Walnut Street (District 16)

SPECIAL RESOLUTION NO. 78, 1997 - welcomes the 3rd Battalion, 10th Marines/2nd 155mm Howitzer Battalion

SPECIAL RESOLUTION NO. 79, 1997 - welcomes the Order of White Shrine of Jerusalem to Indianapolis

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

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

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of October 13, 1997. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 686, 1997. The proposal, sponsored by Councillors Moores, Dowden, Moriarty Adams, Smith, and Talley, recognizes those public safety personnel who assisted critically injured police officer Karen Dague. Councillor Dowden read the proposal, and sponsors presented representatives with copies of the document and Council pins. Councillors Moores and Moriarty Adams thanked public safety personnel present and recognized officer Karen Dague. Dave Young, President of the Fraternal Order of Police, presented officer Daniel Shragel, with a plaque recognizing his efforts. Councillor Dowden moved, seconded by Councillor Moores, for adoption. Proposal No. 686, 1997 was adopted by a unanimous voice vote.

Proposal No. 686, 1997 was retitled SPECIAL RESOLUTION NO. 80, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1997

A SPECIAL RESOLUTION recognizing those public safety personnel who assisted critically injured police officer Karen Dague.

WHEREAS, during the dangerous nighttime hours of September 6, 1997, in a high crime section of the city many Indianapolis Police Department officers were on the streets doing their jobs of maintaining peace and order; and

WHEREAS, unfortunately one of those officers that night, Karen Dague, took a bullet from a criminal and went down critically wounded; and

WHEREAS, the alarm went out and immediately professionals with a wide variety of skills from several city and county agencies kicked into action, and the perpetrator was apprehended and Officer Dague is now well along the road of recovery thanks to those many public servants who did their jobs extremely well that September night; now therefore:

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

SECTION 1. The Indianapolis City-County Council commends all those individuals who had any role in handling the police emergency on the night of September 6, 1997, when Officer Karen Dague was critically wounded in the line of duty.

SECTION 2. The Council specifically recognizes the professional actions of Wishard Memorial Hospital Medics Greg Maddox and Jim Mann; Indianapolis Police Department's Daniel Shragel, Dave McDaniel and Dawn Higgins; Indianapolis-Marion County Law Enforcement Communications Center of the Marion County Sheriff's Department dispatcher Kathy Kirk; and Indianapolis Fire Department personnel Scott Newport, Rita Reith and John McVey.

SECTION 3. It is the work of dedicated and committed people like these, along with their top agency heads and everyday co-workers, who help make Indianapolis a great city in which to live.

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.

Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal Nos. 648 and 649, 1997 on October 20, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 648, 1997. The proposal, sponsored by Councillors McClamroch and Hinkle, appoints John Schuler to the Wellfield Education Corporation. PROPOSAL NO. 649, 1997. The proposal, sponsored by Councillors McClamroch and Hinkle, appoints Kathryn Rietmann to the Wellfield Education Corporation. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 648 and 649, 1997 were adopted by a unanimous voice vote.

Proposal No. 648, 1997 was retitled COUNCIL RESOLUTION NO. 66, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 1997

A COUNCIL RESOLUTION appointing John Schuler to the Wellfield Education Corporation.

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

SECTION I. As a member of the Board of Directors of the Wellfield Education Corporation to be formed, the Council appoints:

John Schuler

Proposal No. 649, 1997 was retitled COUNCIL RESOLUTION NO. 67, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 1997

A COUNCIL RESOLUTION appointing Kathryn Rietmann to the Wellfield Education Corporation.

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

SECTION I. As a member of the Board of Directors of the Wellfield Education Corporation to be formed, the Council appoints:

Kathryn Rietmann

### INTRODUCTION OF PROPOSALS

PROPOSAL NO. 672, 1997. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Resolution which increases the salary schedule for County employees by 5% and the E83 classification by 6.7%"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 673, 1997. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Resolution which determines that the changes in the salary schedule are effective on the date designated by the City-County Council"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 674, 1997. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which determines that future Canal development

adhere to the Canal Master Plan and Plan 2010"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 675, 1997. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which adds Midtown Economic Development Corporation as an eligible neighborhood development corporation for sales and grants of real property"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 676, 1997. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a public purpose grant in the amount of \$34,300 to the Arts Council of Indianapolis"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 677, 1997. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the award of a Guaranteed Energy Savings Contract between the Indianapolis Parks Department and Johnson Controls, Inc."; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 678, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease office space at 129 East Market Street for the Prosecuting Attorney"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 679, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$68,090 in the 1997 Budget of the Marion County Superior Court (State and Federal Grants Fund) to fund Child Advocates funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 680, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$117,674 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide two full time Child Interviewers and a full and part time Project Safe Families advocate for women through the Family Advocacy Center funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 681, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$156,848 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide victim and protective order advocates in court through the Family Advocacy Center funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 682, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$279,318 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue the Victim Assistance Program funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 683, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$89,708 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding for the Centers of Hope at St. Vincent and St. Francis Hospitals funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 684, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$284,171 in the 1997 Budget of the Community Corrections Agency (Home Detention User Fee Fund) to fund salaries, services, home detention equipment, and supplies for the second half of the 1997/1998 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 685, 1997. Introduced by Councillors Curry and Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which eliminates the requirement that state and federal reimbursement moneys for emergency response teams cannot be paid without an appropriation, and to recodify and reorganize the provisions of the Code regarding appropriations"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Boyd stated that the proposal regarding the Citizens Complaint Board will be introduced on November 10, 1997.

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

PROPOSAL NO. 671, 1997 Councillor Borst reported that the Economic Development Committee heard Proposal No. 671, 1997 on October 23, 1997. The proposal is a special ordinance for Kingsmill Venture, L.P. amending S.O. No. 9, 1997 authorizing certain changes in the trust indenture with respect to previously-issued \$10,000,000 Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997A, and \$5,000 Taxable Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997B (Kingsmill Venture, L.P. Project) (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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

Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 671, 1997 was adopted on the following roll call vote; viz:

*20 YEAS: Borst, Boyd, Brents, Cockrum, Coonrod, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, Massie, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford*

*0 NAYS:*

*8 NOT VOTING: Black, Bradford, Coughenour, Moores, Moriarty Adams, Short, Talley, Williams*

*1 ABSENT: Gray*

Proposal No. 671, 1997 was retitled SPECIAL ORDINANCE NO. 14, 1997, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1997

A SPECIAL ORDINANCE authorizing certain amendments to the previously-issued City of Indianapolis, Indiana \$10,000,000 Variable/Fixed Rate Multifamily Housing Revenue Bonds, Series 1997A (Kingsmill Venture, L.P. Project) and \$5,000 Taxable Variable/Fixed Rate Multifamily Housing Revenue Bonds, Series 1997B (Kingsmill Venture, L.P. Project) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, may issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, on July 24, 1997, the City of Indianapolis, Indiana (the "Issuer") issued its Variable/Fixed Rate Multifamily Housing Revenue Bonds, Series 1997A (Kingsmill Venture, L.P. Project) in the aggregate principal amount of \$10,000,000 (the "Series A Bonds") and the City of Indianapolis, Indiana Taxable Variable/Fixed Rate Multifamily Housing Revenue Bonds, Series 1997 B (Kingsmill Venture, L.P. Project) in the principal amount of \$5,000 (the "Series B Bonds") (collectively, the "Bonds") pursuant to an Indenture of Trust (the "Original Indenture") dated as of July 1, 1997, by and between the Issuer and Norwest Bank Indiana, N.A., as trustee (the "Trustee") which has been previously supplemented by a First Supplemental Indenture of Trust (the "First Supplemental Indenture"), dated as of September 2, 1997, between the Issuer and the Trustee and consented to by Kingsmill Venture, L.P. (the "Company"), RAF Financial Corporation (the "Underwriter" and the "Remarketing Agent"), Strong Municipal Advantage Fund (the "Series 1997 A Bond Owner") and Kenneth A. Puller (the "Series 1997 B Bond Owner") (the Original Indenture and the First Supplemental Indenture are collectively relined to as the "Indenture"), and loaned the proceeds thereof to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of July 1, 1997, between the Issuer and the Company to enable the Company to undertake and complete the acquisition, construction, rehabilitation, installation and equipping of the existing 192 unit multifamily residential facility plus clubhouse currently known as Emerald Green Apartments plus the construction and equipping of an additional 192 multifamily residential rental units, all located at 6363 Commons Drive, Indianapolis, Indiana on approximately 32 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, rehabilitation, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Bonds were sold to the Underwriter pursuant to a Bond Purchase Agreement (the "Bond Purchase Agreement"), dated July 23, 1997 among the Issuer, the Company and the Underwriter; and

WHEREAS, the Series 1997A Bond Owner and the Series 1997B Bond Owner (the Series 1997A Bond Owner and the Series 1997B Bond Owner hereinafter collectively, the "Bond Owner") collectively own 100% of all the Bonds Outstanding (as defined in the Indenture); and

WHEREAS, representatives of the Company have requested that the Issuer agree to modify certain provisions contained in the Indenture to amend certain provisions and to clarify the time of effectiveness of certain actions; and

WHEREAS, the proposed amendments to the financing will not have an adverse competitive effect or impact on any similar facility or facilities of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final form of the Second Supplemental Indenture of Trust (the "Second Supplemental Indenture") dated as of October 1, 1997, among the Issuer and the Trustee, as consented to by the Underwriter, the Company and the Bond Owner (hereinafter referred to as the "Second Supplemental Financing Document") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:



October 27, 1997

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

SECTION 1. It is hereby found that the amendment of the financing of the economic development facilities referred to in the Second Supplemental Financing Document consisting of the Project will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Second Supplemental Financing Document presented herewith is hereby approved and shall be kept on file by the Clerk of the Council or City Controller, in compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Second Supplemental Financing Document are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Second Supplemental Financing Document approved herein which requires the signature of the Mayor and City Clerk and any other documents which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The Mayor and City Clerk may, by their execution of the Second Supplemental Financing Document requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those other documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 4. The provisions of this special ordinance and the Second Supplemental Financing Document shall constitute a contract binding between the Issuer and the holder or holders of the Bonds. After the execution and delivery of the Second Supplemental Financing Document, this special ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 5. The Issuer reaffirms its preliminary finding that the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company following receipt of supporting materials submitted by the Company to the Indiana Housing Finance Authority (the "IHFA") and either written representations of the Company or of IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project, and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the release of funds pursuant to Section 5.07(b) of the Indenture as supplemented by the Second Supplemental Indenture, from the Escrow Fund created under Section 5.07 of the Indenture as supplemented by the Second Supplemental Indenture, and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 6. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NOS. 688-695, 1997. Introduced by Councillor Hinkle. Proposal Nos. 688-695, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on October 24, 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. 198-205, 1997, the original

copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 198, 1997.

97-Z-127 (Amended)

4490 SOUTH EMERSON AVENUE (rear) (approximate address), BEECH GROVE.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

VICTORY PARK, INC., by Raymond Good, requests a rezoning of 5.694 acres, being in the C-3 District, to the C-S classification to provide for Thoroughfare-service commercial uses which may include a restaurant use, or a multi-story office use or a multi-story motel use.

REZONING ORDINANCE NO. 199, 1997.

97-Z-182

192 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

JACKSON SYSTEMS requests a rezoning of 0.78 acre, being in the D-A District, to the C-S classification to provide for a contractor of temperature control systems including limited on site storage of materials.

REZONING ORDINANCE NO. 200, 1997.

97-Z-188

2950 NORTH MITTHOEFER ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 5

GREENWALT DEVELOPMENT COMPANY, INC., by Joseph M. Scimia, requests a rezoning of 2.2 acres, being in the C-S District, to the C-S classification to provide for light retail commercial uses or light industrial uses.

REZONING ORDINANCE NO. 201, 1997.

97-Z-190

701-733 and 741-747 SOUTH NOBLE STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.72 acre, being in the I-3-U(RC) District, to the D-8(RC) classification to provide for single-family, two-family or attached multi-family residential uses.

REZONING ORDINANCE NO. 202, 1997.

97-Z-194

1927-1929 NEW STREET and 1926-1932 PLEASANT STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 20

TUBE PROCESSING CORPORATION, by J. Peter Miller, requests a rezoning of 0.59 acre, being in the D-5 District, to the I-2-U classification to provide for light industrial uses including the placement of a wireless communications facility consisting of a 150 foot monopole tower and equipment building.

REZONING ORDINANCE NO. 203, 1997.

97-Z-196

2720 FORTUNE CIRCLE WEST (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

DUKE REALTY INVESTMENTS, INC., by Philip A. Nicely, requests a rezoning of 4.238 acres, being in the I-3-S(FF) District, to the C-6(FF) classification to provide for thoroughfare service commercial uses including a hotel.

REZONING ORDINANCE NO. 204, 1997.

97-CP-33Z

8834 MAZE ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

FLORENCE N. ROOT, by Jarrell B. Hammond, requests a rezoning of 4.805 acres, being in the D-A District, to the D-1 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 205, 1997.

97-CP-34Z

8438 HAGUE ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

KEITH I. PAYNE BUILDING CORPORATION, by David Gilman, requests a rezoning of 1.81 acres, being in the D-6II District, to the D-5II classification to provide for residential development which may include single-family or two-family residences.

### **SPECIAL ORDERS - PUBLIC HEARING**

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 650, 651, 653-655, 1997, listed on the agenda under Public Hearing, and Proposal Nos. 379 and 652, 1997, listed under Final Adoption, on October 15, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 650, 1997. The proposal approves an increase of \$78,000 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) for continuation of an Alternative Sentencing for Drunk Driving study funded by the Governor's Council on Impaired and Dangerous Driving. PROPOSAL NO. 651, 1997. The proposal approves an increase of \$716,000 in the 1997 Budget of the Prosecutor's Child Support IV-D Agency (Cumulative Capital Development Fund) to replace the child support computer system financed by fund balances. PROPOSAL NO. 653, 1997. The proposal approves an increase of \$100,000 and a transfer of \$100,000 in the 1997 Budget of the Marion County Superior Court (County General Fund) to provide additional funding for jury expenses. PROPOSAL NO. 654, 1997. The proposal approves an increase of \$2,500 in the 1997 Budget of the County Auditor (Enhanced Access Fund) for the purpose of paying expenses incurred by various agencies in providing enhanced access to City-County computerized information financed by fund balances. PROPOSAL NO. 655, 1997. The proposal approves an increase of \$122,500 in the 1997 Budget of the County Auditor (Civic Link Fund) for the purpose of paying expenses incurred by various agencies in providing enhanced access to City-County computerized information financed by fund balances. PROPOSAL NO. 379, 1997. The proposal, sponsored by Councillors Moores, Hinkle, Moriarty Adams, Talley, and Tilford, amends the Code concerning a cost of living adjustment (COLA) for retired or disabled county police officers. PROPOSAL NO. 652, 1997. The proposal approves a transfer of \$134,750 in the 1997 Budget of the County Auditor, Prosecuting Attorney, and County Sheriff (Deferral Program Fee Fund) to fund the Traffic Safety Partnership program. By unanimous votes, the Committee reported Proposal Nos. 650-655, 1997 to the Council with the recommendation that they do pass and Proposal No. 379, 1997 to the Council with the recommendation that it do pass as amended.

Councillor Franklin stated that he will abstain from voting on these proposals.

The President called for public testimony at 7:43 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal Nos. 650-655, 1997 and Proposal No. 379, 1997, as amended, were adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Franklin, Moores

1 ABSENT: Gray

Proposal No. 650, 1997 was retitled FISCAL ORDINANCE NO. 97, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Seventy-eight Thousand Dollars (\$78,000) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(b,v) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney for continuation of an Alternative Sentencing for Drunk Driving study funded by the Governor's Council on Impaired and Dangerous Driving.

SECTION 2. The sum of Seventy-eight Thousand Dollars (\$78,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	13,913
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	55,652
3. Other Services and Charges	<u>8,435</u>
TOTAL INCREASE	78,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>78,000</u>
TOTAL REDUCTION	78,000

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

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

Proposal No. 651, 1997 was retitled FISCAL ORDINANCE NO. 98, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Seven Hundred Sixteen Thousand Dollars

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(\$716,000) in the Cumulative Capital Development Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing the unappropriated and unencumbered balance in the Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(w) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecutor's Child Support IV-D Agency to replace the child support computer system.

SECTION 2. The sum of Seven Hundred Sixteen Thousand Dollars (\$716,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTOR'S CHILD SUPPORT IV-D AGENCY</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
2. Supplies	22,355
3. Other Services and Charges	378,209
4. Capital Outlay	<u>315,436</u>
TOTAL INCREASE	716,000

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

	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered Cumulative Capital Development Fund	<u>716,000</u>
TOTAL REDUCTION	716,000

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

Proposal No. 653, 1997 was retitled FISCAL ORDINANCE NO. 99, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the County General Fund for purposes of the Marion County Superior Court and reducing certain other appropriations for that agency (\$100,000) and reducing the unappropriated and unencumbered balance in the County General Fund (\$100,000).

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.(cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to provide additional funding for jury expenses.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, transferred and appropriated 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>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>200,000</u>
TOTAL INCREASE	200,000

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	100,000
Unappropriated and Unencumbered County General Fund	<u>100,000</u>
TOTAL REDUCTION	200,000

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

Proposal No. 654, 1997 was retitled FISCAL ORDINANCE NO. 100, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the Enhanced Access Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Enhanced Access 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) 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 for the purpose of paying expenses incurred by various agencies in providing enhanced access to City-County computerized information. Payment shall be made only upon written approval of the Enhanced Access Board.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>ENHANCED ACCESS FUND</u>
3. Other Services and Charges	<u>2,500</u>
TOTAL INCREASE	2,500

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

	<u>ENHANCED ACCESS FUND</u>
Unappropriated and Unencumbered Enhanced Access Fund	<u>2,500</u>
TOTAL REDUCTION	2,500

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

Proposal No. 655, 1997 was retitled FISCAL ORDINANCE NO. 101, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Twenty-two Thousand Five Hundred Dollars (\$122,500) in the Civic Link Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Civic Link 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) 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 for paying expenses incurred by various agencies in providing enhanced access to City-County computerized information. Payment shall be made only upon written approval of the Enhanced Access Board.

SECTION 2. The sum of One Hundred Twenty-two Thousand Five Hundred Dollars (\$122,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>CIVIC LINK FUND</u>
3. Other Services and Charges	<u>122,500</u>
TOTAL INCREASE	122,500

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

	<u>CIVIC LINK FUND</u>
Unappropriated and Unencumbered	
Civic Link Fund	<u>122,500</u>
TOTAL REDUCTION	122,500

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

Proposal No. 379, 1997, as amended, was retitled GENERAL ORDINANCE NO. 162, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 162, 1997

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Article VI of Chapter 23½.

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

SECTION 1. Article VI of Chapter 23½ of the Code of Indianapolis and Marion County is hereby amended by adding a new Sec. 23½-52 to read as follows:

Sec. 23½-52. Cost of Living Pension Adjustment.

(a) This section is authorized by IC 36-8-10-23.

(b) A cost of living adjustment ("COLA") payment shall be determined annually commencing in 1998. The amount of the COLA payment shall be determined annually by the pension engineers, as they are defined by IC 36-8-10-2. The pension engineers shall determine if there has been an increase in the Consumer Price Index (United States City Average) prepared by the United States Department of Labor, by comparing the arithmetic mean of the Consumer Price Index for January, February, and March of the payment year with the same three (3) month period of the preceding year. If there has been an increase, the increase shall be stated as a percentage of the arithmetic mean for the three (3) month period for the year preceding the payment year ("the adjustment percentage"). The adjustment

percentage shall be rounded to the nearest one tenth of one percent (0.1%), and it may not exceed two percent (2%) in any year beginning January 1, 1998.

(c) The COLA payment authorized under this section shall be funded by maintaining a fully funded actuarially sound trust fund and shall be paid monthly to each authorized retired or disabled county police officer.

(d) This section and the COLA payment shall apply only to retired or disabled county police officers who either are or become at least fifty-five (55) years of age after the effective date of this section.

SECTION 2. The City-County Council hereby authorizes the Department and Trustee to adopt any amendments to the "Marion County Sheriff's Department Personnel Benefit Plan" as may be necessary for purposes of making this ordinance effective, but for only those purposes, without further approval of this Council.

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

Proposal No. 652, 1997 was retitled FISCAL ORDINANCE NO. 102, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 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 Thirty-four Thousand Seven Hundred Fifty Dollars (\$134,750) in the Deferral Program Fee Fund for purposes of the County Auditor, Prosecuting Attorney, and County Sheriff and reducing certain other appropriations for the Prosecuting Attorney

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(b,v,y) 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, Prosecuting Attorney, and County Sheriff to fund the Traffic Safety Partnership program.

SECTION 2. The sum of One Hundred Thirty-four Thousand Seven Hundred Fifty Dollars (\$134,750) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - Fringes	11,227
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	44,907
2. Supplies	25,000
<u>COUNTY SHERIFF</u>	
1. Personal Services	53,616
TOTAL INCREASE	134,750

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

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
3. Other Services and Charges	134,750
TOTAL DECREASE	134,750



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

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 435, 1997. Councillor Curry reported that the Rules and Public Policy Committee initially heard Proposal No. 435, 1997 on August 5, 1997. The proposal was returned to Committee by the Council on August 25, 1997 and was heard again on October 14, 1997. The proposal, sponsored by Councillor Gilmer, 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Gilmer, for adoption. Proposal No. 435, 1997, as amended, was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Franklin, SerVaas*

*1 ABSENT: Gray*

Proposal No. 435, 1997, as amended, was retitled GENERAL ORDINANCE NO. 163, 1997, and reads as follows:

#### CITY-COUNTY GENERAL ORDINANCE NO. 163, 1997

A GENERAL ORDINANCE amending Chapter 272 of the Revised Code to substitute 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.

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

SECTION 1. Sec. 272-102 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. 272-102. Members.

The board of asset management and public works shall be composed of ~~seven (7)~~ eight (8) members; the director of the Department of Capital Asset Management, who shall be chairperson of the board, the director of the Department of Public Works, who ~~serves as presiding officer~~ shall be vice chairperson of the board, three (3) members appointed by the mayor and three (3) members appointed by the city-county council. Each appointed member shall serve a one-year term and until the member's successor is appointed and qualified but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

SECTION 2. This ordinance shall be effective upon passage.

PROPOSAL NO. 548, 1997. Councillor Hinkle reported that the Metropolitan Development Committee initially heard Proposal No. 548, 1997 on September 8, 1997 and sent to the Council with a recommendation that it do pass. The proposal was tabled by the Council on September 15, 1997 and then returned to Committee by the Council on September 29, 1997. The Committee again tabled the proposal on October 6, 1997 and heard it again on October 20, 1997.

The proposal approves an increase of \$590,000 in the 1997 Budget of the Department of Metropolitan Development, Division of Community and Human Services (Redevelopment General Fund) to acquire land along the Canal for development and eventual sale financed by fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 548, 1997, as amended, was adopted on the following roll call vote; viz:

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

1 NAY: Golc

4 NOT VOTING: Black, Franklin, Jones, SerVaas

1 ABSENT: Gray

Proposal No. 548, 1997, as amended, was retitled FISCAL ORDINANCE NO. 103, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Five Hundred Ninety Thousand Dollars (\$590,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Division of Community and Human Services, and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) 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 Metropolitan Development, Division of Community and Human Services for appropriations for continued redevelopment along the canal.

SECTION 2. The sum of Five Hundred Ninety Thousand Dollars (\$590,000) for the sole purpose of purchasing and relocating Bredensteiner & Associates be, and the same is hereby, transferred for the purposes as shown in Section 4 by reducing the accounts as shown in Section 5.

SECTION 3. Drafts of Requests for Proposals must be provided to the Committee for review and comment before going out for bid.

SECTION 4. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT GENERAL FUND</u>
<u>DIVISION OF COMMUNITY AND HUMAN SERVICES</u>	
4. Capital Outlay	<u>590,000</u>
TOTAL INCREASE	590,000

SECTION 5. The said increased appropriation is funded by the following reductions:

	<u>REDEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Redevelopment General Fund	<u>590,000</u>
TOTAL REDUCTION	590,000

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

Councillor Williams asked for consent to explain her vote. Consent was given. Councillor Williams stated that compromises made through the amendments to this particular proposal are relatively palatable, but she still has concerns about the way the administration is allowed to sell properties without approval and without adhering to master plans. She added that her concerns have increased upon learning that a member involved in these property transactions for the administration has moved to an organization in the private sector where he can perform these transactions with even less accountability.

Councillor McClamroch stated that he does not understand Councillor Williams' objection to this proposal. Councillor Williams stated that she is not opposed to this particular proposal, as it has been amended to allow a certain amount of control over funding and development. She added that her concern is with the administration committing to land deals that do not conform to master plan and zoning designated uses.

Councillor McClamroch stated that he assumes Councillor Williams is referring to Larry Gigerich as the member of the administration who recently moved to the private sector by accepting a position as Director of the Indianapolis Economic Development Commission (IEDC). Councillor Williams confirmed this assumption. Councillor McClamroch stated that Mr. Gigerich did an outstanding job with the City administration and added that he does not understand Councillor Williams' linking Mr. Gigerich's promotion with her concerns. Councillor Williams stated that in reading the article in the paper, she understands the duties Mr. Gigerich performed for the City will be transferred to his new position with the IEDC, and she is uncomfortable with that. She emphasized that her concerns are with the Mayor allowing public policy that enable members of his administration to make and sign commitments without following master plans that have been created with the input of multiple parties.

PROPOSAL NO. 576, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 576, 1997 on September 16, 1997 and again on October 21, 1997. The proposal, sponsored by Councillors Coughenour and Williams, establishes that the City-County Council is interested in making the purchase of a parcel of land for a flood control project within the Pogue's Run watershed. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coughenour stated that as a co-sponsor of this proposal, she has not been briefed as to the full impact of this land purchase. She added that this proposal affects flood control and should come before the Public Works Committee for a briefing and comment. She moved, seconded by Councillor Hinkle, to postpone Proposal No. 576, 1997 until the next Council meeting so that the Public Works Committee can receive a presentation at their November 6<sup>th</sup> meeting.

Councillor Schneider stated that there is a time-related urgency involved in the acquisition of this land, and that he does not wish for it to come back before his Committee. Councillor Coughenour stated that she wants a presentation to be made before the Public Works Committee, not for the proposal to be returned to the Administration and Finance Committee.

Councillor Tilford stated that he supports the purchase of the land because of the availability issues, but that he does not support funding any development on this parcel until other identified drainage issues across the County have been addressed.

Councillor Coonrod stated that he is opposed to this proposal because the funding source for this purchase has not yet been identified. He added that he supports postponement.

Councillor Hinkle stated that Councillor Coughenour, being a co-sponsor, should be allowed to request a postponement until she feels comfortable with the proposal. He asked why the proposal was not referred to the Public Works Committee. Councillor Schneider stated that the proposal was referred to the Administration and Finance Committee because it deals with the City purchasing land and does not involve any technical data for drainage or flood control. He added that two hearings have been held on this proposal in his Committee, and there was ample opportunity for Councillor Coughenour to attend one of these meetings or be otherwise informed.

Councillor McClamroch asked what a postponement will accomplish. Councillor Short stated that a postponement will allow Councillor Coughenour to become informed of the details of this proposal.

Councillor Williams stated that as the other sponsor of the proposal, she has no objections to postponement.

Councillor Boyd stated that if the proposal is not being referred to the Public Works Committee and is simply being postponed, he does not support postponement.

Councillor Coughenour stated that if the proposal is postponed, she will call for a briefing on this proposal to be presented at the Public Works Committee on November 6, 1997.

Councillor McClamroch asked how Councillor Coughenour can schedule a hearing on this proposal if it is not assigned to her Committee. Councillor Coughenour stated that the hearing is simply for information purposes only, and no votes will be taken.

Councillor Borst requested that Mr. Neidigh provide a written summary regarding this land purchase to Council members. Mr. Neidigh agreed to do so.

Proposal No. 576, 1997 was postponed until November 10, 1997, on the following roll call vote; viz:

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

PROPOSAL NO. 609, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 609, 1997 on October 21, 1997. The proposal determines that the lease of warehouse space for the storage of voting machines is needed by the Clerk of the Marion County Circuit Court and the Marion County Election Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gilmer asked if this contract was sent out for bids. Councillor Schneider stated that it was not, but that a small group of representatives reviewed seven different properties, and the property chosen was overall the best choice considering all the different criteria.

Councillor Schneider moved, seconded by Councillor Massie, for adoption. Proposal No. 609, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Boyd, Brents, Golc, Williams*

*1 ABSENT: Gray*

Proposal No. 609, 1997 was retitled SPECIAL RESOLUTION NO. 81, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 1997

A PROPOSAL FOR A SPECIAL RESOLUTION determining that the lease of warehouse space for the storage of voting machines is needed by the Clerk of the Marion Circuit Court and the Marion County Election Board.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of warehouse space for the storage of voting machines by the Clerk of the Marion Circuit Court and the Marion County Election Board is necessary.

SECTION 2. The property located at 63 North Gale Street is owned by Gale Properties, Inc. Robert Coble, Michael Coble, Thomas Coble, and Katherine Dassow own a ten (10) percent or more equity interest in Gale Properties, Inc.

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

PROPOSAL NO. 610, 1997. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 610, 1997 on October 16, 1997. The proposal, sponsored by Councillor Williams, approves a public purpose grant in the amount of \$12,000 for the Indianapolis Art Center. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Shambaugh moved, seconded by Councillor Williams, for adoption. Proposal No. 610, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Borst, Gilmer, Golc*

*1 ABSENT: Gray*

Proposal No. 610, 1997 was retitled GENERAL RESOLUTION NO. 9, 1997, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1997

A GENERAL RESOLUTION approving certain public purpose grants for support of the arts.

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

SECTION 1. The following grant totaling Twelve Thousand Dollars (\$12,000) approved by General Resolution No. 98, 1997 of the Board of Parks and Recreation for support of the arts is approved for the following organization:

<u>1997 Public Purpose Local Arts Grant</u>	<u>Amount</u>
<i>Indianapolis Art Center</i>	<i>\$12,000</i>

SECTION 2. This resolution is adopted in satisfaction of the requirements of Section 4.01(c) of the Annual Budget for 1997 (Fiscal Ordinance No. 94, 1996).

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 38-3-4-14.

PROPOSAL NO. 656, 1997. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 656, 1997 on October 16, 1997. The proposal approves a transfer of \$635,000 in the 1997 Budget of the Department of Public Works, Maintenance Operations Division (Maintenance Operations General Fund) to provide funds to purchase salt required for keeping roads clear. 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 Gilmer, for adoption. Proposal No. 656, 1997 was adopted on the following roll call vote; viz:

*23 YEAS: Black, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*5 NOT VOTING: Borst, Brents, Dowden, Golc, SerVaas*

*1 ABSENT: Gray*

Proposal No. 656, 1997 was retitled FISCAL ORDINANCE NO. 104, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Six Hundred Thirty-five Thousand Dollars (\$635,000) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division and reducing certain other appropriations for Maintenance Operations General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Maintenance Operations Division, to purchase salt to keep roads clear.

SECTION 2. The sum of Six Hundred Thirty-five Thousand Dollars (\$635,000) 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>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
2. Supplies	<u>635,000</u>
TOTAL INCREASE	635,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
3. Other Services and Charges	150,000
4. Capital Outlay	340,000
5. Internal Charges	<u>145,000</u>
TOTAL REDUCTION	635,000

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

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 629-645, 1997 on October 15, 1997.

PROPOSAL NO. 629, 1997. The proposal, sponsored by Councillor Coonrod, authorizes a traffic signal at 56th Street and Herbert Lord Road (District 5). 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 Coonrod, for adoption. Proposal No. 629, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 629, 1997 was retitled GENERAL ORDINANCE NO. 164, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 164, 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>
13	56th St, Herbert Lord Rd	56th 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>
13	56th St, Herbert Lord Rd	None	Signal

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 630-642, 1997 together. Consent was given.

PROPOSAL NO. 630, 1997. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Orange Street and Randolph Street (District 21). PROPOSAL NO. 631, 1997. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Ohio Street and Sheffield Avenue (District 17). PROPOSAL NO. 632, 1997. The proposal, sponsored by Councillor O'Dell, authorizes multi-way stops for the intersections located in the Par 10 Neighborhood (District 13). PROPOSAL NO. 633, 1997. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for the Ameriplex Commercial Park (District 19). PROPOSAL NO. 634, 1997. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 51st Street and Primrose Avenue (District 6). PROPOSAL NO. 635, 1997. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 24th Street and Park Avenue (District 22). PROPOSAL NO. 636, 1997. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Petersburg Parkway and Vicksburg Drive (District 1). PROPOSAL NO. 637, 1997. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls in the Pine Woods Subdivision (District 1). PROPOSAL NO. 638, 1997. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Grant Avenue and Walnut Street (District 15). PROPOSAL NO. 639, 1997. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Grant Avenue and 9th Street (District 15). PROPOSAL NO. 640, 1997. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at Lynn Street and Vermont Street (District 16). PROPOSAL NO. 641, 1997. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 12th Street and Warman Avenue (District 16). PROPOSAL NO. 642, 1997. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 12th Street and Winfield Avenue (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 Moriarty Adams, for adoption. Proposal Nos. 630-642, 1997 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*5 NOT VOTING: Black, Borst, Dowden, Franklin, Schneider*

*1 ABSENT: Gray*

Proposal No. 630, 1997 was retitled GENERAL ORDINANCE NO. 165, 1997, and reads as follows:



CITY-COUNTY GENERAL ORDINANCE NO. 165, 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	Orange St, Randolph St	Orange 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>
32	Orange St, 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. 631, 1997 was retitled GENERAL ORDINANCE NO. 166, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 166, 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	Ohio St, Sheffield Av	Sheffield 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	Ohio St, Sheffield 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. 632, 1997 was retitled GENERAL ORDINANCE NO. 167, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 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>
26	Layman Av, St. Joseph St	Layman Av	Stop
26	Lesley Av, St. Joseph St	Lesley Av	Stop
26	Audubon Rd, St. Joseph St	Audubon Rd	Stop
26	Bolton Av, St. Joseph St	Bolton 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>
26	Layman Av, St. Joseph St	None	All Way Stop
26	Lesley Av, St. Joseph St	None	All Way Stop
26	Audubon Rd, St. Joseph St	None	All Way Stop
26	Bolton Av, St. Joseph 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. 633, 1997 was retitled GENERAL ORDINANCE NO. 168, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 168, 1997

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
36	Decatur Blvd, Heathrow Way	None	All Way Stop
36	Decatur Blvd, Hirata Rd	Decatur Blvd	Stop
36	Decatur Blvd, Mendenhall Rd	Decatur Blvd	Stop
36	Decatur Blvd, Scott Rd	Decatur Blvd	Stop
36	Heathrow Way, SR 67	SR 67	Stop

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

Proposal No. 634, 1997 was retitled GENERAL ORDINANCE NO. 169, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 169, 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>
18	51st St, Primrose Av	51st	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	51st St, Primrose 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. 635, 1997 was retitled GENERAL ORDINANCE NO. 170, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 170, 1997

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	24th St, Park Av	Park 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>
25	24th St, Park 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. 636, 1997 was retitled GENERAL ORDINANCE NO. 171, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 171, 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>
09	Petersburg Pkwy, Vicksburg Dr	Vicksburg 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>
09	Petersburg Pkwy, Vicksburg Dr	None	All Way Stop

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

Proposal No. 637, 1997 was retitled GENERAL ORDINANCE NO. 172, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 172, 1997

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2	Pine Lake Rd, 79th St	79th St	Stop
2	Pine Lake Rd, Pine Park Ln	Pine Lake Rd	Stop
2	Pine Lake Rd, Pine Lake Way	Pine Lake Way	Stop

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

Proposal No. 638, 1997 was retitled GENERAL ORDINANCE NO. 173, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 173, 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>
26	Grant Av, Walnut St	Grant 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>
26	Grant Av, Walnut 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. 639, 1997 was retitled GENERAL ORDINANCE NO. 174, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 174, 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>
26	Grant Av, 9th St	Grant 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>
26	Grant Av, 9th 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. 640, 1997 was retitled GENERAL ORDINANCE NO. 175, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 175, 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	Lynn St, Vermont St	Lynn 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	Lynn St, Vermont 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. 641, 1997 was retitled GENERAL ORDINANCE NO. 176, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 176, 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	12th St, Warman Av	Warman 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>
24	12th St, Warman 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. 642, 1997 was retitled GENERAL ORDINANCE NO. 177, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 177, 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	12th St, Winfield Av	Winfield 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>
24	12th St, Winfield 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.

Councillor Gilmer asked for consent to vote on Proposal Nos. 643 and 644, 1997 together. Consent was given.

PROPOSAL NO. 643, 1997. The proposal, sponsored by Councillor Brents, authorizes weight limit restrictions on Jackson Place between Illinois Street and McCrea Street (District 16). PROPOSAL NO. 644, 1997. The proposal, sponsored by Councillor Borst, authorizes weight limit restrictions on Epler Avenue from Belmont Avenue to Warman Avenue (District 25). 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 Borst, for adoption. Proposal Nos. 643 and 644, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 643, 1997 was retitled GENERAL ORDINANCE NO. 178, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 178, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

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. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the addition of the following, to wit:

11,000 POUNDS

Jackson Place, from  
Illinois Street to McCrea Street

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

Proposal No. 644, 1997, was retitled GENERAL ORDINANCE NO. 179, 1997, and reads as follows:



October 27, 1997

CITY-COUNTY GENERAL ORDINANCE NO. 179, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

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. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the addition of the following, to wit:

11,000 POUNDS

Epler Avenue, from  
Belmont Avenue to Warman Avenue

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

PROPOSAL NO. 645, 1997. The proposal, sponsored by Councillor Williams, authorizes a change in parking restrictions on Broadway Street from 11th Street to the north terminal of Broadway Street (District 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 Williams, for adoption. Proposal No. 645, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Franklin, Short, Talley*

*1 ABSENT: Gray*

Proposal No. 645, 1997 was retitled GENERAL ORDINANCE NO. 180, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 180, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations; Sec. 29-254, Manner of parking; Sec. 29-267, Parking prohibited at all times on certain streets; 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. 29-266, Special parking privileges for certain persons or vehicles in certain locations, be, and the same is hereby, amended by the deletion of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

- (5) Any vehicles so authorized by the department of public safety, emergency management division, may park at any time in the following locations:

Broadway Street, on the west side,  
from 11th Street to a point 72 feet north of 11th Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-254, Manner of parking, be, and is hereby amended by the deletion of the following, to wit:

(c) *Ninety-degree angle.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of ninety (90) degrees to the curb, or if there if no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Broadway Street, on the west side,  
from 11th Street to the north terminal of Broadway Street (1125 N)

SECTION 3. 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:

Broadway Street, on the east side,  
from 11th Street to the north terminal of Broadway Street (1125 N)

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-254, Manner of parking, be, and is hereby amended by the deletion of the following, to wit:

(c) *Ninety-degree angle.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of ninety (90) degrees to the curb, or if there if no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Broadway Street, on the east side,  
from 34 feet north of 11th Street to  
the north terminal of Broadway Street (1125 N)

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 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:

Broadway Street, on the west side,  
from 11th Street to the north terminal of Broadway Street (1125 N)

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

## **NEW BUSINESS**

The President encouraged Committee Chairmen to be more timely in approving Committee meeting minutes so that copies can be distributed to Council members with enough time for review before Council meetings.

## **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 Councillors O'Dell and Tilford in memory of Daniel Ginsberg, Kara Hinesley, and Amy Yasho.

October 27, 1997

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 Daniel Ginsberg, Kara Hinesley, and Amy Yasho. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:40 p.m.

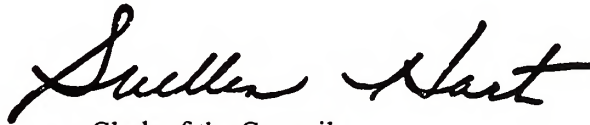
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 27th day of October, 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)