

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

**REGULAR MEETINGS  
MONDAY, DECEMBER 15, 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 7:04 p.m. on Monday, December 15, 1997, with Councillor SerVaas presiding.

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

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

The President recognized Jim Harbaugh, quarterback for the Indianapolis Colts, who introduced the following Colts football players: Jason Belser, Aaron Bailey, Derwin Gray, Tony McCoy, Scott Van der Ahe, Kaipo McGuire, Steve Morrison, Ken Dilger, and Zack Crockett. Mr. Harbaugh also introduced Bill Tobin, Vice President of football operations. Councillor Gilmer asked Mr. Dilger to sign his Colts jersey. Mr. Harbaugh thanked the Council for inviting the team to tonight's meeting, and stated that the players wish to stay in Indianapolis.

Councillor Williams introduced the Carolling Cops: Sergeant Joe Smith and Corporal Joe Barney of the Capitol Police and Patrolmen Harold Turner and Jamon Jack of the Indianapolis Police Department. She stated that the Carolling Cops would be performing on national television on Christmas Eve on the Rosie O'Donnell show, and encouraged Councillors to watch. The Carolling Cops performed "Downtown Wonderland" and "Carolling Cops," a song to the tune of "Jingle Bells" with safety tips for Christmas shoppers.

Councillor Short recognized State Senator Glenn Howard.

### OFFICIAL COMMUNICATIONS

Councillor Boyd moved to bring Proposal No. 687, 1997 before the Committee of the Whole on January 12, 1998. Councillor McClamroch stated that he has a conflict with this motion as co-sponsor of the proposal, and feels it is important to uphold the Committee structure. Councillor Boyd stated that the Committee process has not worked up to this point. He stated that he is willing, because of a lengthy agenda, to withdraw his motion until the January 12, 1998 meeting. Councillor McClamroch stated that he would welcome a postponement of the motion. Councillor Boyd withdrew his motion, and stated that he will offer it again in January.

The President introduced Jim Irsay, owner of the Indianapolis Colts. Mr. Irsay introduced Roger Goodell, negotiator for the National Football League (NFL), and Charlie Arthur, representative of Arthur Andersen. Mr. Goodell presented a slide presentation and detailed the issues faced by every community that has a NFL franchise. Mr. Arthur stated that his accounting firm has extensively reviewed the Colts financial situation and feels they are in dire need of additional revenue. Mr. Irsay asked for the Council's support of Proposal No. 795, 1997.

Pat Early, Executive Director of the Capital Improvement Board (CIB), stated that the new lease negotiations consider no tax dollar use, simply revenue already generated by the Colts. Jim Snyder, special counsel, stated that the resolution lays out the parameters which must be encompassed in the re-negotiation of the lease.

PROPOSAL NO. 795, 1997. The proposal concerns the Capital Improvement Board and the Indianapolis Colts. Councillor Curry read the proposal and moved for its adoption. Councillor Short seconded the motion.

Councillor Gray stated that he appreciates all the hard work the CIB has done, but that the minority party should have been more involved in the process.

The President called for a vote on Proposal No. 795, 1997. Proposal No. 795, 1997 was adopted on the following roll call vote; viz:

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

Councillor Golc asked for consent to explain his vote. Consent was given. Councillor Golc stated that this vote is not a matter of liking the Colts or wanting the Colts to stay, but is a matter



of whether or not Indianapolis can afford to subsidize an NFL franchise in light of other quality of life competing interests which need City dollars.

Councillor Borst stated that the time and effort spent on finding funds for professional sports teams is small compared to the time spent trying to fund other quality of life issues. He stated that all cities are struggling with funding safety issues and other quality of life issues, but that the answer for funding this particular issue is available and attainable and does not take money away from other fundings.

Councillor Short stated that the two entities that bring the greatest amount of national exposure on a continuing basis are the Colts and Pacers. He stated that the Colts are good corporate citizens, and he supports this proposal because the Colts are good for the City.

Councillor Bradford stated that he initially opposed this proposal, but has been persuaded that new lease negotiations will help the Colts to succeed and bring quality of life to Indianapolis.

Councillor Williams stated that the constituents she has heard from have been opposed to a new lease negotiation, and therefore, she voted against the proposal in order to accurately represent the citizens in her district.

Councillor Gilmer stated that he was present when the Colts came to Indianapolis, and he does not want to see them go. He is in favor of Proposal No. 795, 1997.

Proposal No. 795, 1997 was retitled COUNCIL RESOLUTION NO. 71, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1997

A COUNCIL RESOLUTION concerning the Capital Improvement Board and the Indianapolis Colts.

WHEREAS, there has arisen a need to review the present lease between the Capital Improvement Board and the Indianapolis Colts; and

WHEREAS, both the Capital Improvement Board and the Indianapolis Colts prefer a mutual accommodation beneficial to both our community and the Indianapolis Colts' presence in Indianapolis notwithstanding interpretation of the present lease; and

WHEREAS, the City-County Council is appreciative of what the Indianapolis Colts have done to help enhance the quality of our City both on and off the field; and

WHEREAS, in an effort to meet the financial needs of the Indianapolis Colts as they have requested, the City-County Council encourages the Capital Improvement Board to negotiate a new agreement with the Colts at least encompassing the following parameters; now, therefore:

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

SECTION 1. The Colts should be prohibited from leaving Indianapolis for at least a ten-year period of time.

SECTION 2. Revenues passed to the Colts under a new agreement will only be revenues they are responsible for generating. The amount of these revenues may fluctuate and would not be guaranteed by the Capital Improvement Board.

SECTION 3. In the event any commitments are arranged by the Capital Improvement Board for the team, these commitments must be paid off by the designated revenues, and in the event the team were to leave in years 11 through 17 of the lease, the legal damages must be sufficient to cover any remaining outstanding obligations arising from this new agreement.

SECTION 4. Should the Colts leave Indianapolis in years 11 through 17 of the remaining lease, they should pay damages sufficient to pay off any remaining debts by the Colts to the Capital Improvement Board and pay some type of penalty for breaching the lease.

SECTION 5. The cost of any improvements made to the RCA Dome would not exceed amounts that could be funded by the incremental rental car tax already enacted.

SECTION 6. Neither property taxes nor income taxes may be used to fund this transaction.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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, December 15, 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

November 25, 1997

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, November 28, 1997, a copy of a Notice of Public Hearing on Proposal Nos. 709, 734, 735, 736, 739, and 740, 1997, said hearing to be held on Monday, December 15, 1997, at 7:00 p.m. in the City-County Building.

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

November 25, 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 *Indianapolis Star* or the *Indianapolis News* on Monday, December 1, 1997, a copy of a Correction of Legal Notice of General Ordinance Nos. 181 and 183, 1997.

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



December 1, 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 and resolutions:

FISCAL ORDINANCE NO. 111, 1997 - approves an increase of \$3,600,000 in the 1997 Budget of the Information Services Agency (Information Services Internal Service Fund) to fund capital purchases by departments and agencies paid for by chargebacks to those departments and agencies

FISCAL ORDINANCE NO. 112, 1997 - approves an increase of \$6,000 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund an evaluation of county-wide domestic violence protocols funded by a S.T.O.P. grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 113, 1997 - approves an increase of \$26,253 in the 1997 Budget of the County Sheriff (State and Federal Grants Fund) to fund Child Sex Abuse Intervention and Prevention Programs funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 114, 1997 - approves an increase of \$58,917 in the 1997 Budget of the County Sheriff (State and Federal Grants Fund) to fund a Victim Assistance Program funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 115, 1997 - approves an increase of \$11,554 in the 1997 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to provide funds for drug testing of defendants held in the lock-up funded by a grant from the US Department of Justice

FISCAL ORDINANCE NO. 116, 1997 - approves an increase of \$34,154 in the 1997 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to provide indigent adult groups and individualized counseling on victimization issues funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 117, 1997 - approves an increase of \$15,706 in the 1997 Budget of the Marion County Superior Court (State and Federal Grants Fund) to provide funding for the Drug Treatment Court funded by a grant from the US Department of Justice

FISCAL ORDINANCE NO. 118, 1997 - approves an increase of \$34,000 in the 1997 Budget of the Marion County Superior Court (Supplemental Adult Probation Fees Fund) to pay the cost of offender drug testing for the conditional release office funded by user fees

FISCAL ORDINANCE NO. 119, 1997 - approves an increase of \$13,371 in the 1997 Budget of the Department of Public Safety, Emergency Management Planning Division (Consolidated County Fund) for payment of accrued benefit leave time for a departing Emergency Management employee financed by fund balances

FISCAL ORDINANCE NO. 120, 1997 - approves an increase of \$19,500 in the 1997 Budget of the Prosecuting Attorney (County Grants Fund) to provide matching funds for the Children's Waiting Room Grant funded by grants from the Indianapolis and Indiana Bar Foundations

FISCAL ORDINANCE NO. 121, 1997 - approves an increase of \$238,008 in the 1997 Budget for the Department of Public Works, Maintenance Operations Division and Administration (Maintenance Operations General Fund - \$234,008; Federal Grants Fund - \$4,000) to pay weekly employees for the 53rd pay period in 1997 and to pay Brownfield's interns to complete pilot program through the end of 1997 financed by fund balances and transfers

FISCAL ORDINANCE NO. 122, 1997 - approves a reduction of \$1,599,783 in 1997 Budgets to reflect recalculations of cash flow for funding the 1998 Budgets of various city departments in specified funds

FISCAL ORDINANCE NO. 123, 1997 - approves a transfer of \$5,000 in the 1997 Budget of the Office of the Controller (Consolidated County Fund) for the purpose of paying Indianapolis Fleet Services for inspections of taxi cabs

GENERAL ORDINANCE NO. 186, 1997 - concerns the Indianapolis Public Transportation Corporation Board

GENERAL ORDINANCE NO. 187, 1997 - authorizes a multi-way stop at Ritter Avenue and University Avenue (District 13)

GENERAL ORDINANCE NO. 188, 1997 - authorizes a traffic signal at 29th Street and Riverside Drive (District 16)

GENERAL ORDINANCE NO. 189, 1997 - authorizes a traffic signal at 30th Street, Riverside Drive, and White River Parkway East Drive (Districts 9, 16)

GENERAL ORDINANCE NO. 190, 1997 - authorizes a traffic signal at Bradbury Avenue and Shelby Street (Districts 20, 21)

GENERAL ORDINANCE NO. 191, 1997 - authorizes a multi-way stop at Kenmore Road and Lowell Avenue (District 13)

GENERAL ORDINANCE NO. 192, 1997 - authorizes parking restrictions on Shelby Street, on the east side, from Raymond Street to Tabor Street (Districts 20, 21)

SPECIAL ORDINANCE NO. 15, 1997 - a special ordinance for Thomas W. Killion authorizing the issuance of economic development revenue bonds in an amount not to exceed \$1,280,000 to acquire and construct certain land, buildings, structures, machinery and equipment comprising light manufacturing, warehousing, and general office use facilities to be located at 7901 West 21st Street (Thomas W. Killion Project) (District 18)

SPECIAL ORDINANCE NO. 16, 1997 - a special ordinance for Broad Ripple Lakes, L.P. (formerly known as Ripple Creek, L.P.) authorizing the issuance of bonds to refund the previously issued \$7,950,000 City of Indianapolis, Indiana Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997A and \$1,450,000 City of Indianapolis, Indiana Taxable Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997B (Broad Ripple Lakes, L.P. Project) (District 7)

SPECIAL ORDINANCE NO. 17, 1997 - a special ordinance authorizing the issuance of economic development revenue bonds in an amount not to exceed \$1 million for T&E Investments, LLC to be used for the acquisition, construction and equipping of an approximately 354,000 square feet free-standing industrial building to house manufacturing and warehousing activities located at 7445 Company Drive (Spectrum Products, Inc. Project) (District 23)

SPECIAL ORDINANCE NO. 18, 1997 - a special ordinance for Strawbridge Limited Partnership authorizing a current refunding of the previously issued \$7,135,000 City of Indianapolis, Indiana Economic Development Multi-Family Housing Mortgage Revenue Bonds, Series 1997A and \$5,000 City of Indianapolis, Indiana Taxable Economic Development Multi-Family Housing Mortgage Revenue Bonds, Series 1997B (FHA Insured - Castle Dore Apartments Project) (District 24)

SPECIAL RESOLUTION NO. 85, 1997 - an inducement resolution for Bedford, L.P. in an amount not to exceed \$10,000,000 to be used for the acquisition, expansion and rehabilitation of the existing 312-unit apartment complex and clubhouse known as Bedford Park West located at 4900 Edinborough Lane (Bedford Park West Apartments Project) (District 17)

SPECIAL RESOLUTION NO. 86, 1997 - an inducement resolution for The Piedmont Foundation, Inc. in an amount not to exceed \$18,500,000 to be used for the acquisition, renovation, expansion, construction and equipping of the existing 648-unit multi-family residential facility located at 2900 East Hanna Avenue; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements (Nantucket Cove Apartments Project) (District 24)

GENERAL RESOLUTION NO. 11, 1997 - increases the salary schedule for County employees by 5% and the E83 classification by 6.7%

GENERAL RESOLUTION NO. 12, 1997 - determines that the changes in the salary schedule are effective on the date designated by the City-County Council

GENERAL RESOLUTION NO. 13, 1997 - approves a public purpose grant in the amount of \$34,300 to the Arts Council of Indianapolis

GENERAL RESOLUTION NO. 14, 1997 - approves the award of a Guaranteed Energy Savings Contract between the Indianapolis Parks Department and Johnson Controls, Inc.

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1997 - approves an increase of \$2,400,000 in the 1997 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to fund the 27th payroll for the Indianapolis Police Department which will fall on January 2, 1998, financed by fund balances

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1997 - approves an increase of \$1,500,000 in the 1997 Budget of the Department of Public Safety, Fire Division (Fire Service District Fund) to fund the 27th payroll for the Indianapolis Fire Department which will fall on January 2, 1998, financed by fund balances



December 15, 1997

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1997 - approves an increase of \$97,027 in the 1997 Budget of the Department of Public Works, Solid Waste Administration (Solid Waste Collection Service District Fund) to pay weekly employees for the 53rd pay period in 1997 financed by fund balances

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 November 24, 1997. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 812, 1997. The proposal, sponsored by Councillors Bradford, Schneider, and McClamroch, recognizes the Bishop Chatard High School State Champion Football Team. Councillor Bradford read the proposal and presented representatives with copies of the document and a Council pin. Head Coach Craig Barr thanked the Council and presented the President with a Trojans baseball cap. Councillor Bradford moved, seconded by Councillor Schneider, for adoption. Proposal No. 812, 1997 was adopted by a unanimous voice vote.

Proposal No. 812, 1997 was retitled SPECIAL RESOLUTION NO. 89, 1997, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 89, 1997**

A SPECIAL RESOLUTION recognizing the Bishop Chatard High School State Champion Football Team.

WHEREAS, the Bishop Chatard High School "Trojans" Football Team finished their remarkable season 13-1; and

WHEREAS, the Chatard Trojans on November 30, 1997, had a date with destiny in which the Trojans marched 79 yards in 20 plays in one of the most incredible endings to a state championship football game; and

WHEREAS, the mighty Trojans on 4<sup>th</sup> and goal with the ball on the one yard line, scored the final and winning touchdown by Quarterback Andy Sahn with 18 seconds left, to give Chatard their third state football title; 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 applauds and honors all the Trojan players, along with Head Coach Craig Barr; Assistant Coaches Tom Dilley, Andy Swickheimer, Jim Leisure, Kevin Shine, Rick Wagner, Chris Toner, Todd Finnell, Rob Baldwin, Mark Fahey, Tom White and Mike McGinley; Athletic Director Rick Wagner; Principal Paul Lockard; and President Brother Joseph Umile, CSC for their outstanding dedication and determination in winning the 1997 Class 3A State Football Championship.

SECTION 2. The Council further commends all the Bishop Chatard High School students, faculty, relatives, and fans who continue to support this great team and this great school.

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

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

PROPOSAL NO. 796, 1997. The proposal, sponsored by Councillors O'Dell and Tilford, recognizes Harley Chapman. Councillor O'Dell read the proposal and presented Mr. Chapman and his wife, Ruth, with copies of the document and Council pins. Mr. Chapman thanked the Council for the recognition. Councillor O'Dell moved, seconded by Councillor Tilford, for adoption. Proposal No. 796, 1997 was adopted by a unanimous voice vote.

Proposal No. 796, 1997 was retitled SPECIAL RESOLUTION NO. 87, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1997

A SPECIAL RESOLUTION recognizing Harley Chapman.

WHEREAS, Harley Chapman has been the City-County Council Sergeant-At-Arms from January 1989 through the end of 1997; and

WHEREAS, he did a commendable job of maintaining order and decorum during the past 179 Council Meetings, including helping set up the chambers before every meeting and in removing Council equipment from the public assembly room after the Council Meetings; and

WHEREAS, during all that time he only missed one Council Meeting, and that was due to the Council rescheduling the meeting date; and

WHEREAS, Harley is a native of West "By God" Virginia, is a World War II Navy Armed Guard veteran who was on a ship that was sunk by a U-boat, is retired from RCA, and is active in the American Legion; and

WHEREAS, some of the challenges that Harley has mastered have been the establishment and maintenance of a quorum, seeing to it that each citizen that attends a Council meeting is treated with courtesy and respect, securing the safety of each and every Councillor, keeping up with the technological advances that have occurred in City government and seeing that each and every Councillor's needs were met before, during and after the meetings; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Harley Chapman for his many years of competent and professional service as the Council's Sergeant-At-Arms.

SECTION 2. The Council wishes Harley all the very best of health and happiness in the future.

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

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

PROPOSAL NO. 797, 1997. The proposal, sponsored by Councillor Talley, recognizes Social Action Committee, Inc. Councillor Talley read the proposal and presented representatives with copies of the document and Council pins. Abu X. Henderson and Muata Rameses thanked the



Council for the recognition. Councillor Talley moved, seconded by Councillor Brents, for adoption. Proposal No. 797, 1997 was adopted by a unanimous voice vote.

Proposal No. 797, 1997 was retitled SPECIAL RESOLUTION NO. 88, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 1997

A SPECIAL RESOLUTION recognizing Social Action Committee, Inc.

WHEREAS, the grassroots group, Social Action Committee, Inc., was organized in 1990 by folks who felt that the city's Department of Parks and Recreation budget had not been given enough budget money; and

WHEREAS, the group of concerned citizens decided to organize themselves to help take up some of the slack, especially for kids, but also for the many other inner-city needs; and

WHEREAS, since that time Social Action Committee, Inc. with about 25 members has been recognized by the Indiana Youth Institute for working with kids on the Westside, has done hands-on work with two White River Cleanups, and has been recognized by Indiana Black Expo for their youth reading enhancement program; and

WHEREAS, the Committee's newest success story was an extraordinary effort to help an elderly lady save and fix up her historic old house on North Broadway Street from threatening legal actions by the Health and Hospital Corporation; and

WHEREAS, with financial grants and loans especially from All Saints Church and Riley Area Revitalization Program, the lady will be able to keep her home; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the initiatives and work of Social Action Committee, Inc., especially Abu X. Henderson, Muata Rameses, Malinda Henderson, Ray Carpenter and Mike Jordan.

SECTION 2. The Council commends the real grassroots volunteer groups like these throughout the city that do a commendable job of helping people who desperately need a helping hand.

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

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

PROPOSAL NO. 798, 1997. The proposal, sponsored by Councillor SerVaas, approves a schedule of regular council meetings for the year 1998. The President read the proposal and asked for a motion.

Councillor Coughenour moved to change the July Council meeting date to July 13 from July 20, as it was in the original copy of the proposed schedule which she received. She stated that she is the Chair of the Environmental Committee at the National League of Cities, which is scheduled for the week of July 20, and she will not be able to attend the July 20<sup>th</sup> meeting.

Councillor McClamroch stated that he is opposed to this change because the last proposed schedule that was presented after the last Council meeting shows the date to be July 20, 1998. He stated that because of the 4<sup>th</sup> of July holiday, many people schedule vacations the first two weeks in July, as he has done.

Councillor Short stated that often Councillors are a part of other organizations or work schedules when they occasionally must miss a meeting. He added that the schedule should not be changed to fit one person's schedule, while causing a conflict with another's.

There being no second, Councillor Coughenour's motion failed. Councillor McClamroch moved, seconded by Councillor Short, for adoption of Proposal No. 798, 1997. Proposal No. 798, 1997 was adopted by a voice vote.

Proposal No. 798, 1997 was retitled COUNCIL RESOLUTION NO. 72, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 1997

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1998.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1998:

- |      |                           |      |                            |
|------|---------------------------|------|----------------------------|
| (1)  | Monday, January 12, 1998  | (11) | Monday, July 20, 1998      |
| (2)  | Monday, January 26, 1998  | (12) | Monday, August 03, 1998    |
| (3)  | Monday, February 09, 1998 | (13) | Monday, August 31, 1998    |
| (4)  | Monday, February 23, 1998 | (14) | Monday, September 14, 1998 |
| (5)  | Monday, March 16, 1998    | (15) | Monday, September 28, 1998 |
| (6)  | Monday, April 06, 1998    | (16) | Monday, October 19, 1998   |
| (7)  | Monday, April 20, 1998    | (17) | Monday, November 09, 1998  |
| (8)  | Monday, May 18, 1998      | (18) | Monday, November 23, 1998  |
| (9)  | Monday, June 08, 1998     | (19) | Monday, December 14, 1998  |
| (10) | Monday, June 22, 1998     |      |                            |

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 749, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates the Central Indiana Regional Transportation Authority"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 765, 1997. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Subdivision Control Ordinance for Marion County (97-AO-12)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 766, 1997. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the following zoning ordinances relating to the Subdivision Control Ordinance: Dwelling Districts, Commercial, Central Business District, Special Districts, and Industrial; and requires that public or semi-public sewer be provided in the D-S and D-1 Dwelling Districts for any plat of a subdivision recorded after January 1, 1998 (97-AO-13)"; and the President referred it to the Metropolitan Development Committee.



PROPOSAL NO. 767, 1997. Introduced by Councillor Moores. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends and recodifies the chapter concerning human relations and equal opportunity by deleting provisions which have been adjudged to be unconstitutional and to make certain other technical changes"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 768, 1997. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the county food and beverage tax"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 769, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$26,165 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to reimburse the salary expense of the three officers assigned to the FBI Task Force Program financed by an FBI Task Force Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 770, 1997. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which adds provisions regarding permanent identification of dogs and cats, registration of wild or dangerous animals, and the illegal use of dogs; deletes the requirement of dog licenses, and makes certain other technical changes"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 771, 1997. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a procedure for determining whether a public utility providing water service in the city shall be required to extend service to an area served by private water wells when a health hazard is determined to exist"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 772, 1997. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Willows Subdivision, Section 2 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 773, 1997. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Cooper Pointe Subdivision, Section 4 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 774, 1997. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Bel Moore Subdivision, Section 1 (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 775, 1997. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 79th Street and Carroll Road (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 776, 1997. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Berwyn Street and Mars Hill Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 777, 1997. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Miller Street and Pershing Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 778, 1997. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at New Jersey Street and Pacific Street (Districts 20, 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 779, 1997. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Beechwood Lane and Brill Street (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 780, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Graham Avenue and St. Joseph Street (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 781, 1997. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 12th Street and Holmes Avenue (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 782, 1997. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a stop sign at 56th Street and Eden Village Drive (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 783, 1997. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lockburn Street and Perry Street (Districts 17, 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 784, 1997. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Milhouse Road and Old Mill Drive (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 785, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 62nd Street and Broadway Street (District 7)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 786, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 57th Street and Carvel Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 787, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 56th Street and Winthrop Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 788, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 63rd Street and Delaware Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 789, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 58th Street and Pennsylvania Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 790, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Crittenden Avenue, on the east side, from Kessler Boulevard East Drive to a point 140 feet south of Kessler Boulevard East Drive (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 791, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Beach Avenue between Lincoln Boulevard and Keystone Avenue West Drive; and on Keystone West Drive between 80th Street and Beach Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 792, 1997. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Perkins Avenue in front of Spruce Manor Senior Apartment Complex (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 793, 1997. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no parking anytime restrictions on Southeastern Avenue between Meadow Drive and Shortridge Road (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 794, 1997. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no parking restrictions on Michigan Street between New Jersey Street and East Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 799, 1997. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves and authorizes execution of two agreements between the City of Indianapolis, Department of Public Works, and the White River Environmental Partnership"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 800, 1997. Introduced by Councillors McClamroch, Hinkle, and Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints C. Eugene Hendricks to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 801, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Eli Bloom to the Indianapolis Greenways Development Board"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 802, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sondra Gunnell to the Indianapolis Greenways Development Board"; and the President referred it to the Parks and Recreation Committee.

Councillor Gilmer asked who, in light of Proposal No. 800, 1997, is leaving the Metropolitan Development Commission (MDC) as an appointee. The President stated that Dr. Jack Hall will not be re-appointed due to new guidelines that require that no two appointees be from the same township. Councillor Gilmer stated that he is upset because his township is not represented on this board and that he is not given a chance to voice input as to who might fill that vacant position. Councillor McClamroch explained it was not his intent to exclude any township but that Mr. Hendricks had been discussed as an appointee to the MDC last year. The President stated that a new mechanism is in place to distribute these appointments throughout the various townships and asked Councillor Hinkle to work with Councillor Gilmer to help insure that a resident of his district is considered when a vacant position becomes available.

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

PROPOSAL NO. 803, 1997 and PROPOSAL NOS. 804-811, 1997. Introduced by Councillor Hinkle. Proposal No. 803, 1997 and Proposal Nos. 804-811, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 11, 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. 223-231, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 223, 1997.

97-CP-28Z

1213 NORTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

STC INDUSTRIES, LLC, by Joseph M. Scimia, requests a rezoning of 5.5 acres, being in the I-4-U, C-4 and D-5 Districts, to the I-4-U classification to provide for heavy industrial uses, such as, the fabrication of steel ASME pressure vessels.



REZONING ORDINANCE NO. 224, 1997.

97-Z-185

1015 and 1016 NORTH OAKLAND AVENUE (approximate address), INDIANAPOLIS.  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.27 acre, being in the C-3 District, to the D-5 classification to provide for residential uses.

REZONING ORDINANCE NO. 225, 1997.

97-Z-187

2626 BETHEL AVENUE (approximate address), INDIANAPOLIS.  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1.82 acres, being in the D-5 District, to the SU-2 classification to legally establish a school use.

REZONING ORDINANCE NO. 226, 1997.

97-Z-206

6105 EAST 34<sup>th</sup> STREET (approximate address), INDIANAPOLIS.  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

RON SMITH, by Mitch Sever, requests a rezoning of 5.0 acres, being in the D-3 District, to the C-S classification to provide for an excavation business.

REZONING ORDINANCE NO. 227, 1997.

97-Z-207

1930-1932 WOODLAWN AVENUE (approximate address), INDIANAPOLIS.  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.3 acre, being in the D-5 District, to the SU-1 classification to provide for an existing religious use.

REZONING ORDINANCE NO. 228, 1997.

97-Z-212

7202 EAST 71<sup>st</sup> STREET (approximate address), INDIANAPOLIS.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

OUTSIDE SOURCE PROPERTIES, by Joseph M. Scimia, requests a rezoning of 0.279 acre, being in the D-A District, to the C-I classification to provide for office uses.

REZONING ORDINANCE NO. 229, 1997.

97-Z-215

6205 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

CHARLES T. ROBERTS requests a rezoning of 0.2 acre, being in the C-5 District, to the D-3 classification to provide for an existing residential use.

REZONING ORDINANCE NO. 230, 1997.

97-Z-216

1025I EAST 59<sup>th</sup> STREET (rear) (approximate address), CITY OF LAWRENCE.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

SCM KENSINGTON CORPORATION, by Thomas Michael Quinn, requests a rezoning of 15.19 acres, being in the D-5 and D-7 Districts, to the D-5 classification to provide for the construction of a residential development.

REZONING ORDINANCE NO. 231, 1997.

97-Z-217

1025I EAST 59<sup>th</sup> STREET (approximate address), CITY OF LAWRENCE.  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

SCM KENSINGTON CORPORATION, by Thomas Michael Quinn, requests a rezoning of 33.17 acres, being in the D-5 and D-7 Districts, to the D-5II classification to provide for the construction of a residential development.

## **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 759, 1997. The proposal proposes to rezone 160 acres at 997 West Southport Road from D-A(FF) District to D-P(FF) classification to provide for a planned unit development, consisting of several types of single-family development, including detached units, patio homes, and attached units, as well as a geriatric community, consisting of single-family homes, and varying types of assisted living units (97-Z-161) (97-DP-9) (District 25). On November 24, 1997, Councillor Borst asked for Proposal No. 759, 1997 to be scheduled for a public hearing on December 15, 1997.

Councillor Borst made the following motion:

Mr. President:

I move that the Council proceed to vote on Proposal No. 759, 1997, Rezoning Docket No. 97-Z-161 (97-CP-9), as modified by the revised commitments filed December 15, 1997, without further public hearing.

Councillor Short seconded the motion, and the motion carried by a unanimous voice vote. Councillor Borst moved, seconded by Councillor Short, for adoption. Proposal No. 759, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Black, Coughenour, Golc, Moriarty Adams*

Proposal No. 759, 1997 was retitled REZONING ORDINANCE NO. 222, 1997, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified on November 21, 1997 as follows:

REZONING ORDINANCE NO. 222, 1997.

97-Z-161 (97-DP-9)

997 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

NORTHSTAR DEVELOPMENT, LLC, by Raymond Good, requests a rezoning of 160 acres, being in the D-A(FF) District, to the D-P(FF) classification to provide for a planned unit development, consisting of several types of single-family development, including detached units, patio homes, and attached units, as well as a geriatric community, consisting of single-family homes, and varying types of assisted living units.

PROPOSAL NO. 700, 1997. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 700, 1997 on November 19, 1997, at which time the proposal was postponed until December 10, 1997. The proposal approves an increase of \$250,000 in the 1997 Budget of the Department of Parks and Recreation (Park General Fund) to begin a public awareness program concerning Greenways projects financed by a grant from the Lilly Endowment. Councillor Shambaugh moved, seconded by Councillor Massie, to strike Proposal No. 700, 1997. Proposal No. 700, 1997 was stricken by a unanimous voice vote.

PROPOSAL NO. 709, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 709, 1997 on November 12, 1997. The proposal approves an increase of \$100,000 in the 1997 Budget of the Marion County Superior Court (County



General Fund) for purposes of paying juror fees financed by fund balances. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:25 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 709, 1997 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: Borst, Brents, Coughenour, Franklin, SerVaas

Proposal No. 709, 1997 was retitled FISCAL ORDINANCE NO. 124, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1997

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

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(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 for purposes of paying juror fees.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	100,000
TOTAL INCREASE	100,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	100,000
TOTAL REDUCTION	100,000

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

Councillor Schneider reported that the Administration and Finance Committee heard Proposal Nos. 734 and 735, 1997 on December 2, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 734, 1997. The proposal authorizes tax anticipation borrowing for the City during the period from January 1, 1998 through December 31, 1998. PROPOSAL NO. 735,

1997. The proposal authorizes tax anticipation borrowing for the County General Fund, the County Family and Children's Fund, and the County Welfare Fund during the period from January 1, 1998 through December 31, 1998. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:27 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal Nos. 734 and 735, 1997 were adopted on the following roll call vote; viz:

*21 YEAS: Borst, Boyd, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*8 NOT VOTING: Black, Bradford, Brents, Cockrum, Gray, Massie, Schneider, SerVaas*

Proposal No. 734, 1997 was retitled FISCAL ORDINANCE NO. 126, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 1997

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund and the Park General Fund during the period January 1, 1998, through December 31, 1998, in anticipation of current taxes levied in the year 1997 and collectible in the year 1998 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 1997 distributions of Taxes levied for such Account, and the June and December 1997 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Thirty-Six Million Eight Hundred Fifty-Seven Thousand Nine Hundred Twenty-Six Dollars (\$36,857,926) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1998 distributions of Taxes levied for such Fund, and the June and December 1998 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Five Million One Hundred Seventy-Six Thousand Six Hundred Fifty-Eight Dollars (\$5,176,658) and the interest cost of making temporary loans for the Police Pension Fund;

C. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 1998 distributions of Taxes levied for such Account, and the June and December 1998 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Twenty-Nine Million Nine Thousand One Hundred Eight Dollars (\$29,009,108) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and

D. that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1998 distributions of Taxes levied for such Fund, and the June and December 1998 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Four Million Six Hundred Twenty-Three Thousand Six Hundred Sixty Dollars (\$4,623,660) and the interest cost of making temporary loans for the Firemen's Pension Fund; and



E. that there will be insufficient funds in the Park General Fund to meet the current expenses for the payment of current expenses payable from such Fund prior to the June and December 1998 distributions of Taxes levied for such Fund, and the June and December 1998 distributions of Taxes to be collected for the Park General Fund will collectively amount to more than Fourteen Million Five Hundred Ninety-Four Thousand One Hundred Eighty Dollars (\$14,594,180) and the interest cost of making temporary loans for the Park General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 1997 and in the course of collection for the year 1998; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Thirty-Six Million Eight Hundred Fifty-Seven Thousand Nine Hundred Twenty-Six Dollars (\$36,857,926) in anticipation of Taxes for the Account for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 1998 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 1998 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 1998 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Five Million One Hundred Seventy-Six Thousand Six Hundred Fifty-Eight Dollars (\$5,176,658) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 1998 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 1998 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 1998 Budget Fund No. 810, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty-Nine Million Nine Thousand One Hundred Eight Dollars (\$29,009,108) in anticipation of Taxes for the Account for the year 1997, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 1998 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 1998 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1998 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Four Million Six Hundred Twenty-Three Thousand Six Hundred Sixty Dollars (\$4,623,660) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund from the June and December 1998 distributions of Taxes for the Firemen's Pension Fund to the Firemen's Pension Fund, the 1998 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Firemen's Pension Fund 1998 Budget Fund No. 811, Character 03, Other Services and Charges, Interest

(Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Park General Fund of the City in the maximum principal amount of Fourteen Million Five Hundred Ninety-Four Thousand One Hundred Eighty Dollars (\$14,594,180) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Park General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Park General Fund from the June and December 1998 distributions of Taxes for the Park General Fund to the payment of the principal of the Park General Fund, the 1998 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1998 Budget Fund No. 170, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 7. The Warrants for each Fund or Account may be issued in one series, designated Series 1998 Warrants ("Series 1998 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1998 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1998 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 1998 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 30, 1998. All Series B Warrants and Series 1998 Warrants shall mature and be payable not later than December 31, 1998. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 7. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 7. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 6 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.



SECTION 8. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_

Principal \$ \_\_\_\_\_

CITY OF INDIANAPOLIS  
TAX ANTICIPATION TIME WARRANT, SERIES 1998 \_\_\_\_  
(\_\_\_\_\_ [FUND] [ACCOUNT])

On the \_\_\_\_ day of \_\_\_\_\_, 1998, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of \_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1997, and payable in the [first installment] [second installment] for the year 1998 ("Taxes"), which Taxes are now in course of collection for the \_\_\_\_\_ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$\_\_\_\_\_ evidencing a temporary loan in anticipation of the Taxes for the \_\_\_\_\_.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_ day of \_\_\_\_\_, 1997, for the purpose of providing funds for the \_\_\_\_\_ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the \_\_\_\_ of the City for the year of 1997, payable in the [first installment] [second installment] for the year 1998, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1998.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Mayor, City of Indianapolis

COUNTERSIGNED:

By: \_\_\_\_\_  
Controller, City of Indianapolis

ATTEST:

By: \_\_\_\_\_  
Clerk, City of Indianapolis

EXHIBIT A  
(Advances)

SECTION 9. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 10. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a non-governmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 11. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 735, 1997 was retitled FISCAL ORDINANCE NO. 125, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1997

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund, the County Family and Children's Fund and the County Welfare Fund ("Funds") during the period from January 1, 1998, through December 31, 1998, in anticipation of current taxes levied in the year 1997 and collectible in the year 1998 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.



WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund, the County Family and Children's Fund and the County Welfare Fund pending the receipt of Taxes actually levied in 1997 and in the process of collection in 1998, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Eighty One Million, Eight Hundred Fifty Nine Thousand, Five Hundred Thirty-Four Dollars (\$81,859,534) and the interest cost of making temporary loans for the County General Fund; and

B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Eighteen Million, Nine Hundred Thirty Four Thousand, Three Hundred Thirty-Seven Dollars (\$18,934,337) and the interest cost of making temporary loans for the County Family and Children's Fund;

C. that there will be insufficient funds in the County Welfare Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Welfare Fund will collectively amount to more than Three Million Five Hundred Ninety Thousand, Seven Hundred Ninety-Five Dollars (\$3,590,795) and the interest cost of making temporary loans for the County Welfare Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 1997 and in the course of collection for the year 1998; now, therefore:

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

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Eighty One Million, Eight Hundred Fifty Nine Thousand, Five Hundred Thirty-Four Dollars (\$81,859,534) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 1998 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Eighteen Million, Nine Hundred Thirty Four Thousand, Three Hundred Thirty-Seven Dollars (\$18,934,337) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 1998 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Welfare Fund of the County in the maximum principal amount of Three Million Five Hundred Ninety Thousand, Seven Hundred Ninety-Five Dollars (\$3,590,795) in anticipation of Taxes for the Fund for the year 1998, which loans shall be evidenced by Warrants. The

Warrants, including interest, shall be payable from the County Welfare Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Welfare Fund from the June and December 1998 distributions of Taxes for the County Welfare Fund, to the County Welfare Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of 8 percent per annum, to be determined as provided in Section 5 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 1998 Warrants ("Series 1998 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1998 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1998 for that Fund. The Series B Warrants for each Fund may be issued in amount not to exceed the amount of the December 1998 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 1998. All Series B Warrants and Series 1998 Warrants shall mature and be payable not later than December 31, 1998. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 5. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 5. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 4 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 6. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):



December 15, 1997

No. \_\_\_\_\_

Principal \$ \_\_\_\_\_

MARION COUNTY  
TAX ANTICIPATION TIME WARRANT, SERIES 1998\_\_  
( \_\_\_\_\_ FUND)

On the \_\_\_\_ day of \_\_\_\_\_, 1998, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of \_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 1997, and payable from the [first installment] [second installment] for the year 1998 ("Taxes"), which Taxes are now in course of collection for the County \_\_\_\_\_ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), evidencing a temporary loan in anticipation of the Taxes for the County \_\_\_\_\_ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_ day of \_\_\_\_\_, 1997, for the purpose of providing funds for the County \_\_\_\_\_ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County \_\_\_\_\_ Fund for the year of 1997, payable in the [first installment] [second installment] for the year 1998, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1998.

THE BOARD OF COMMISSIONERS OF  
MARION COUNTY, INDIANA

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

COUNTERSIGNED:

By: \_\_\_\_\_  
Mayor, City of Indianapolis

ATTEST:

By: \_\_\_\_\_  
Auditor, Marion County

EXHIBIT A  
(Advances)

SECTION 7. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 8. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 9. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 736, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 736, 1997 on December 2, 1997. The proposal, sponsored by Councillor Gilmer, approves the Revolving Loan Agreement and a note between the City and the Indianapolis Local Public Improvement Bond Bank in the amount of \$20 million and appropriates said funds (Barrett projects). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:28 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 736, 1997 was adopted on the following roll call vote; viz:



December 15, 1997

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

Proposal No. 736, 1997 was retitled SPECIAL ORDINANCE NO. 19, 1997, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1997

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the City), authorizing the issuance of its City of Indianapolis Barrett Projects Note, Series 1997A (the 1997 Note), an obligation of the City in the aggregate principal amount not to exceed Twenty Million Dollars (\$20,000,000), payable from other moneys of the City which may be available therefor, and approving and authorizing other actions in respect thereto.

WHEREAS, the City has been duly established and exists as a consolidated city of the first class in the State of Indiana pursuant to IC 36-3-1, and has been granted home rule powers by IC 36-1-3, as amended; and

WHEREAS, The Indianapolis Local Public Improvement Bond Bank (the Bond Bank) is a public body corporate and politic, not a state agency, but an independent public instrumentality exercising essential public functions created under IC 5-1.4, as amended (the Act); and

WHEREAS, the City is a Qualified Entity (as defined in the Act).

WHEREAS, the Bond Bank is authorized under the Act to make loans to Qualified Entities; and

WHEREAS, the City is authorized to issue and sell the 1997 Note to the Bond Bank in accordance with Section 6 of the Act; and

WHEREAS, the City desires to borrow pursuant to the Revolving Loan Agreement between the City and the Bond Bank, a copy of which is submitted herewith as Appendix A (the Loan Agreement), from the Bond Bank subject to the terms and conditions of and for the purposes set forth herein; and

WHEREAS, pursuant to the authority granted under the Act and other applicable provisions of law, the Bond Bank has agreed to loan to the City an amount necessary to enable the City to (i) finance certain public improvements throughout the City pursuant to IC 36-9-36 through 39, as amended (the Barrett Projects) on a current and continuing basis, and (ii) refund all of the outstanding principal of, and interest on, the City of Indianapolis Barrett Projects Note, Series 1994A (the 1994 Note) (the Refunding Program); and

WHEREAS, the City intends to issue its 1997 Note to evidence its borrowing from the Bond Bank; and

WHEREAS, the City will through its Department of Capital Asset Management, or any successor thereto, use the proceeds from the sale of the 1997 Note to pay the costs of the Barrett Projects, the Refunding Program, and to pay all of the costs of issuance incurred in connection with the 1997 Note; and

WHEREAS, the City plans to repay its 1997 Note from moneys of the City which may be available; and

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to (i) the costs of the Barrett Projects, (2) the Refunding Program, and (3) the costs of the issuance of the 1997 Note.

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

SECTION 1. The City shall proceed to provide (a) funding for the Barrett Projects and (b) funding for the Refunding Program.

SECTION 2. For the purpose of procuring funds to pay for the Barrett Projects and the Refunding Program, including all expenses in connection with or on account of the issuance of the Note, the City shall enter into the Loan Agreement and execute and deliver the 1997 Note in an amount not to exceed Twenty Million Dollars (\$20,000,000).

The Controller of the City (the Controller) is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank the 1997 Note designated as City of Indianapolis Barrett Projects Note, Series 1997A, in an amount not to exceed Twenty Million Dollars (\$20,000,000). The 1997 Note shall be issued pursuant to the Loan Agreement in the substantially final form submitted to this City-County Council. The 1997 Note shall have a final maturity no later than November 1, 2002, in amounts negotiated with the Bond Bank, shall have a net interest cost which does not exceed eight percent (8%) and shall be sold at par. The 1997 Note or a portion thereof may be redeemable prior to maturity upon terms and conditions provided in the Loan Agreement as are further detailed through negotiation with the Bond Bank by the Controller and the Mayor of the City (the Mayor) consistent with the best interest of the City and the terms of this Ordinance.

Prior to delivery of the 1997 Note, the Controller shall obtain a legal opinion as to the validity of the 1997 Note and shall furnish such opinion addressed to the Bond Bank. The cost of said opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the 1997 Note.

SECTION 3. The City-County Council hereby approves the Loan Agreement and the 1997 Note, in the forms submitted herewith and marked Appendix A (a copy of which is attached to the official copy of this ordinance) and the Mayor is hereby authorized and directed to execute, and the Controller is hereby authorized and directed to attest and affix the seal of the City to, the Loan Agreement and the 1997 Note with such changes and revisions thereto as they deem necessary or appropriate to consummate the transaction contemplated hereby, if such changes do not increase the interest rates or the principal amount in excess of the interest rate and principal amount authorized in Section 2, and such execution and attestation shall be conclusive evidence of their approval of such changes and revisions. The Loan Agreement and the 1997 Note in the forms executed shall constitute the valid, legal and binding agreements of the City, the full performance and satisfaction of which by the City is hereby authorized and directed. Upon the consummation of the sale of the Note, the Controller and the Treasurer of the Marion County, Indiana, as ex-officio Treasurer of the City, shall be authorized to receive the proceeds of the Note from the Bond Bank in the manner provided by law.

SECTION 4. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of Marion County, Indiana (the County), and each of them, for an on behalf of the County, to take any action or to prepare, execute and deliver any and all instruments, letters, certificates, agreements or documents as the officer executing the same determines are necessary or appropriate to effect and to consummate the transactions described in this Ordinance, the Loan Agreement and the 1997 Note, such determination to be conclusively evidenced by such officer's execution thereof.

SECTION 5. After passage and upon execution of the Loan Agreement by the Mayor and attestation by the Controller, this Ordinance shall be irrevocable and shall not be amended in any manner which would adversely affect the rights of the holder of the 1997 Note until the 1997 Note has been paid in full.

SECTION 6. The proceeds derived from the sale of the Note and all investment earnings thereon shall be, and they hereby are, used for the purpose of procuring funds to pay for the costs of the Barrett Projects and the Refunding Program, including all expenses in connection with or on account of the issuance of the 1997 Note.

SECTION 7. This Ordinance shall rescind and repeal portions or any portions of any ordinances of the City or County which conflict with the terms hereof if the conflict would have a material adverse impact on the 1997 Note.

SECTION 8. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.



Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 739 and 740, 1997 on December 15, 1997. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 739, 1997. The proposal approves an increase of \$152,172 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue the comprehensive traffic safety program funded by a federal grant administered by the Governor's Council on Impaired and Dangerous Driving. PROPOSAL NO. 740, 1997. The proposal approves an increase of \$17,444 in the 1997 Budget of the County Sheriff (State and Federal Grants Fund) to reimburse overtime paid to Sheriff Deputies assigned to the FBI Task Force Program funded by a FBI Task Force Grant. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 739 and 740, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 739, 1997 was retitled FISCAL ORDINANCE NO. 127, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Fifty-two Thousand One Hundred Seventy-two Dollars (\$152,172) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

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

SECTION 2. The sum of One Hundred Fifty-two Thousand One Hundred Seventy-two Dollars (\$152,172) 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	1,081
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	55,474
3. Other Services and Charges	<u>95,617</u>
TOTAL INCREASE	152,172

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>152,172</u>
TOTAL REDUCTION	152,172

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. 740, 1997 was retitled FISCAL ORDINANCE NO. 128, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Seventeen Thousand Four Hundred Forty-four Dollars (\$17,444) in the State and Federal Grants Fund for purposes of the County Sheriff 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 I.02(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 Sheriff to reimburse overtime paid to Sheriff Deputies assigned to the FBI Task Force Program

SECTION 2. The sum of Seventeen Thousand Four Hundred Forty-four Dollars (\$17,444) 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 SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>17,444</u>
TOTAL INCREASE	17,444

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>17,444</u>
TOTAL REDUCTION	17,444

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.



**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 699, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 699, 1997 on December 1, 1997. The proposal organizes the Department of Metropolitan Development (DMD) in a manner more compatible with the budget and improves DMD's services. 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. 699, 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, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*  
*2 NAYS: Schneider, Talley*  
*1 NOT VOTING: Franklin*

Proposal No. 699, 1997, as amended, was retitled GENERAL ORDINANCE NO. 193, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 193, 1997

A GENERAL ORDINANCE amending Chapter 231 of the Revised Code of the Consolidated City and County, concerning the reorganization of the Department of Metropolitan Development.

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

SECTION 1. Chapter 231 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

**ARTICLE I. DEPARTMENT ESTABLISHED**

**Sec. 231-101. Established.**

There is hereby established a department of metropolitan development for the consolidated city pursuant to IC 36-3-5-4 subject to IC 36-3-4-23.

**ARTICLE II. ORGANIZATION**

**DIVISION 1. DIRECTOR**

**Sec. 231-211. Director.**

The director of the department of metropolitan development shall be appointed by the mayor, subject to the approval of the city-county council as required by IC 36-3-5-2, to serve at the pleasure of the mayor for a term ending December thirty-first of the year the appointment is effective and until a successor is appointed and qualifies. The mayor may appoint a deputy mayor to serve as the director of the department of metropolitan development by virtue of the deputy mayor's office.

**Sec. 231-212. Duties.**

The director of the department of metropolitan development shall:

- (1) Prepare and submit a budget as required by IC 36-3-6-4(b)(1);
- (2) Establish operational procedures;

- (3) Approve the hiring and dismissal of personnel subject to limitations prescribed by law and rules adopted by the mayor;
- (4) Delegate to personnel of the department authority to act on the director's behalf;
- (5) Assign tasks to employees of the department and supervise the carrying out of those responsibilities;
- (6) Act as a hearing authority relative to unsafe buildings, or appoint a person to act as a hearing authority, as provided in IC 36-7-9;
- (7) Approve and execute legal instruments subject to limitations prescribed by law;
- (8) Approve or disapprove disbursement of funds subject to limitations prescribed by law;
- (9) Receive pertinent information, engage in departmental planning and establish policies and goals for the department subject to limitations prescribed by law, direction provided by the mayor, and policies and goals properly established by the metropolitan development commission;
- (10) Coordinate the activities of divisions within the department;
- (11) Assign to a division in the department any power or duty which the law specifies is to be exercised by the division of planning and zoning of the metropolitan planning department, in instances where this Code does not indicate a responsible division or agency;
- (12) Appoint an administrator to manage each division of the department, subject to the approval of the mayor;
- (13) Provide advice and assistance to the historic preservation commission, as established by IC 36-7-11.1, and the administrator of its staff in coordinating the programs and policies of the department with historic preservation programs and policies, to review the work program of the commission as provided by IC 36-7-11.1-4 and to provide advice in the appointment of the administrator as provided in IC 36-7-11.1-4;
- (14) Designate and authorize the receipt and distribution of all funds received by the city pursuant to an act of the United States Congress entitled the Housing and Community Development Act of 1974, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States Government to receive those funds; and
- (15) Any other responsibilities granted by statute or ordinance or delegated by the mayor.

DIVISION 2. COMMISSION

**Sec. 231-221. Metropolitan development commission.**

(a) The metropolitan development commission is established in the department of metropolitan development as authorized by IC 36-7-4-202.

(b) The metropolitan development commission shall have the following powers and duties:

- (1) To approve the award and amendment of all contracts for lease or purchase of capital equipment;
- (2) To approve the employment of all persons engaged by contract to render professional or consulting services;
- (3) To approve all acquisition of interest in real estate;
- (4) To approve all contracts for public work as defined in IC 36-1-12;
- (5) Powers and duties granted to the metropolitan development commission by IC 36-7-4;



- (6) Powers and duties granted to the metropolitan development commission by IC 36-7-15.1;
- (7) Powers and duties granted to the metropolitan development commission by IC 36-7-25; and
- (8) All other powers and duties granted by statute or ordinance.

(c) Notwithstanding what is stated above in subsection (b), the metropolitan development commission is not:

- (1) Authorized to approve the receipt or distribution of community development grant funds.
- (2) Required to approve or execute the award or amendment of any contract let by the department for public works or for the lease or purchase of capital equipment when the contract is not required to be bid under state law.

### ARTICLE III. DIVISIONS

#### Sec. 231-~~133~~301. Divisions established.

The department of metropolitan development shall be composed of the following divisions:

- (1) Division of neighborhood services.
- (2) Division of planning.
- (3) Division of administrative services.
- (4) Division of community development and ~~human~~ financial services.
- (5) Division of permits.

#### Sec. 231-~~101~~302. Division of neighborhood services.

(a) The division of neighborhood services is responsible for establishing a resident and community-based framework through which citizens can work cooperatively to direct and sustain the physical, social, and economic development of their neighborhood.

(b) Powers and duties of the division include:

- (1) Powers and duties conferred on the implementing agency under IC 36-7-4 (including actions which are the responsibility of the planning department, the division of planning and zoning and the staff), except for technical activities supporting preparation of the comprehensive plan described in the 500 series);
- (2) Initiate a review of the issuance of a certificate of appropriateness in accordance with IC 36-7-11.1-9(f);
- (3) Powers and duties conferred on the department of metropolitan development under section 7-2 of the Code of Indianapolis and Marion County, Indiana;
- (4) Receive or process applications or documents for other departments, divisions or agencies of local government relative to the development or use of real estate when an agreement for such service is made; and
- (5) Any other powers and duties granted by statute or ordinance or delegated by the mayor.

#### Sec. 231-~~201~~303. Division of planning.

(a) The division of planning is responsible for planning activities throughout the county that will secure orderly growth, encourage effective use of municipal facilities and resources and provide a desirable quality of life for its citizens.

- (b) Powers and duties of the division include:
- (1) Accomplishing land use and housing planning, economic and fiscal planning (including the preparation of a capital expenditure program), transportation planning, environment and energy planning, and urban design and planning for projects, neighborhoods, open space and leisure systems;
  - (2) Accomplishing technical work in support of preparation of a comprehensive plan described in the 500 series of IC 36-7-4;
  - (3) Accomplishing technical work in support of preparation of a thoroughfare plan as described in IC 36-9-6.1-3, 4, 7 and 8; and
  - (4) Any other powers and duties granted by statute or ordinance or delegated by the mayor.

**Sec. 231-~~401~~304. Division of administrative services.**

(a) The division of administrative services is responsible for providing real estate services for the department, facilitating the economic growth and revitalization of the City through various local economic development programs including, but not limited to Real Property Tax Abatement, Residential Distress Tax Abatement, Industrial Revenue Bonds, Tax Increment Financing, and for providing administrative support for the department.

(b) Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1.

(bc) This division shall have other powers and duties granted by statute or ordinance or delegated by the mayor or department director.

**Sec. 231-~~501~~305. Division of community development and human financial services.**

The division of community development and human financial services is responsible for providing affordable housing, development and rehabilitation opportunities, encouraging economic opportunities, building neighborhood capacity, providing homeless assistance and human services, administering an unsafe building program, ~~providing real estate services to the department, and~~ administering various federal programs: and for providing financial services for the department.

- (b) Powers and duties of the division include:
- (1) On behalf of the director, designating and authorizing the receipt and distribution of all funds received by the department pursuant to acts of the United States Congress including but not limited to the Housing and Community Development Act of 1974, as amended, the National Affordable Housing Act of 1990, as amended, and the Stewart B. McKinney Homeless Assistance Act of 1987, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States Government to receive those funds.
  - (2) Facilitating the creation of affordable housing opportunities for low income households, including the homeless and persons with special needs, through the provision of programs including, but not limited to, Community Development Block Grant Program, Home Investment Partnerships Program, Home Ownership Opportunity for People Everywhere Program (Hope 3), Housing Opportunities for People with Aids, Emergency Shelter Grants, Section 108 Loan Guarantee Program, Section 312 Program, Rental Rehabilitation Program, Resolution Trust Corporation, Affordable Housing Program, Urban Housing Reinvestment Program.
  - (3) Facilitating the economic growth and revitalization of the City, through various local economic development programs including, but not limited to ~~Real Property Tax Abatement, Residential Distress Tax Abatement, Industrial Revenue Bonds, Tax Increment Financing,~~ Community Development Block Grant Program, Section 108 Loan Guarantee Program, Commercial Facade Program, Urban Development Action Grant Program, ~~Commercial Facade Program,~~ Urban Development Action Grant Program, support for the Indianapolis Enterprise zone, and Enterprise Community.



- (4) Powers and duties granted to the division under section 231-511 through section 231-515 of this Code and continuing the administration and compliance monitoring of the previously established Urban Homesteading Programs for the Consolidated City of Indianapolis as provided by HUD guidelines and section 231-511 through 231-515 of this Code.
- (5) The provision of public services and facilities including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing, energy conservation, welfare, recreational or special needs.
- (6) Acquiring or disposing of any interest in real or personal property, leasing or renting any buildings, structures or facilities included with a housing, economic development, other development or redevelopment project or public safety initiative.
- (7) Powers and duties conferred on the enforcement authority by IC 36-7-9.
- (8) Conducting or contracting with an enforcement entity to conduct, a program to issue orders to repair, board or demolish hazardous, unsafe or problem structures which contribute to urban blight including but not limited to the powers and duties in chapter 14 of the Code of Indianapolis and Marion County.
- (9) Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1.
- (10) The division shall have other powers and duties granted by statute or ordinance or delegated by the mayor or department director.

**Sec. 231-~~601~~306. Division of permits.**

(a) The division of permits is responsible for enforcing land use requirements and promoting responsible development through inspections and issuance of permits.

(b) Powers and duties of the division include:

- (1) Powers and duties which the division of code enforcement is authorized or required to carry out under this Code and the Code of Indianapolis and Marion County, Indiana, including but not limited to powers and duties found in chapters 14 and 17;
- (2) Powers and duties which the division of buildings is authorized or required to carry out under this Code and the Code of Indianapolis and Marion County, Indiana, including but not limited to powers and duties found in chapters 8, 10 1/2, 19 and 27;
- (3) License persons and business organizations engaged in construction activity, issue building permits, make building inspections and take other appropriate actions for the purpose of securing safe construction and assuring proper maintenance of existing structures;
- (4) Enforce building regulations established by the Fire Prevention and Building Safety Commission of the State of Indiana;
- (5) Enforce provisions of state law or city ordinance relating to the development, condition, maintenance or use of real estate, as required by ordinance or assigned by the mayor; and
- (6) Any other powers and duties granted by statute or ordinance or delegated by the mayor.

**ARTICLE IV. URBAN HOMESTEADING PROGRAM**

**Sec. 231-~~511~~401. Urban homesteading program established.**

An urban homesteading program for the consolidated City of Indianapolis is hereby authorized and established, subject to the approval of such program by the mayor and director of the department of metropolitan development.

**Sec. 231-~~512~~402. Preparation and administration.**

The division of community development and ~~human~~ financial services of the department of metropolitan development shall prepare such urban homesteading program and is hereby designated by council pursuant to IC 36-7-17 to administer such urban homesteading program.

**Sec. 231-~~513~~403. Authority to prescribe regulations for administration.**

The division of community development and ~~human~~ financial services of the department of metropolitan development shall prescribe rules and regulations, as provided in IC 36-7-17, for administering the urban homesteading program.

**Sec. 231-~~514~~404. Conformity with community development program and metropolitan comprehensive plan.**

The urban homesteading program of Indianapolis shall be an integral component of and in conformity with the annual community development program operated by the City of Indianapolis under the Housing and Community Development Act of 1974. The urban homesteading program, and all administration and implementation thereof, shall be in accordance with the procedures, requirements and criteria of IC 36-7-17 and shall be in conformity with the official metropolitan comprehensive plan adopted by the metropolitan development commission pursuant to IC 36-7-4. The administration and implementation of the urban homesteading program shall not be subject to the provisions of IC 36-7-15.1.

**Sec. 231-~~515~~405. Cooperation and participation of other city departments.**

The various departments of the city shall, appropriately within their respective jurisdictions, powers and duties, cooperate and participate as necessary in the administration of such urban homesteading program and shall further its implementation.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 733, 1997. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 733, 1997 on December 2, 1997. The proposal approves a transfer of \$10,550 in the 1997 Budget of the County Coroner (County General Fund) to purchase office furniture. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Short, for adoption. Proposal No. 733, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 733, 1997 was retitled FISCAL ORDINANCE NO. 129, 1997, and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 129, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Ten Thousand Five Hundred and Fifty Dollars (\$10,550) in the County General Fund for purposes of the County Coroner and reducing certain other appropriations for that agency.

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

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

SECTION 2. The sum of Ten Thousand Five Hundred and Fifty Dollars (\$10,550) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>10,550</u>
TOTAL INCREASE	10,550

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

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	800
3. Other Services and charges	<u>9,750</u>
TOTAL DECREASE	10,550

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 737, 741, and 742, 1997 on December 15, 1997.

PROPOSAL NO. 737, 1997. The proposal provides penalties for unauthorized use of handicapped parking spaces on private commercial property. Councillor Dowden reported that the initiators of the proposal had requested that it be postponed until January 12, 1998. Councillor Dowden moved, seconded by Councillor Short, for postponement. Proposal No. 737, 1997 was postponed until January 12, 1998 by a unanimous voice vote.

PROPOSAL NO. 741, 1997. The proposal approves a transfer of \$43,000 in the 1997 Budget of the County Sheriff (Deferral Program Fee Fund) to purchase supplies for Sheriff Deputies. Councillor Dowden reported that the Sheriff had requested that the Committee strike this proposal. Councillor Dowden moved, seconded by Councillor Short, to strike. Proposal No. 741, 1997 was stricken by a unanimous voice vote.

PROPOSAL NO. 742, 1997. The proposal approves a transfer of \$120,000 in the 1997 Budget of the County Sheriff (County General Fund) to cover the increased cost of gasoline. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 742, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 742, 1997 was retitled FISCAL ORDINANCE NO. 130, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 130, 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 Twenty Thousand Dollars (\$120,000) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(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 Sheriff to cover the increased cost of gasoline

SECTION 2. The sum of One Hundred Twenty Thousand Dollars (\$120,000) 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>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>120,000</u>
TOTAL INCREASE	120,000

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>120,000</u>
TOTAL DECREASE	120,000

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. 591 and 743-747, 1997 on December 10, 1997.

PROPOSAL NO. 591, 1997. The proposal, sponsored by Councillor Williams, authorizes parking restrictions on the west side of Illinois Street from 30th Street to a point 795 feet north of 30th Street (Children's Museum) (Districts 9, 22). By a 6-0 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. 591, 1997 was adopted on the following roll call vote; viz:

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



Proposal No. 591, 1997 was retitled GENERAL ORDINANCE NO. 194, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 194, 1997

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

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

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

Illinois Street, on the west side,  
from Thirtieth Street to a point 515 feet north of Thirtieth Street

SECTION 2. 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 addition of the following, to wit:

Illinois Street, on the west side,  
from Thirtieth Street to a point 795 feet north of Thirtieth Street

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

PROPOSAL NO. 743, 1997. The proposal, sponsored by Councillor Dowden, authorizes a traffic signal at Hague Road and Lawrence North High School (District 4). 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 Dowden, for adoption. Proposal No. 743, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Black, Coughenour, Franklin*

Proposal No. 743, 1997 was retitled GENERAL ORDINANCE NO. 195, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 195, 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>
06	Hague Rd, Lawrence North High School Dr (7800 N)	None	Signal

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

PROPOSAL NO. 744, 1997. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Franklin Parke Boulevard, Franklin Parke Court, and Franklin Parke Woods (District 23). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Smith, for adoption. Proposal No. 744, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 744, 1997 was retitled GENERAL ORDINANCE NO. 196, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 196, 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>
48	Franklin Parke Blvd, Franklin Parke Ct, Franklin Parke Woods	Franklin Parke Blvd	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>
48	Franklin Parke Blvd, Franklin Parke Ct, Franklin Parke Woods	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. 745, 1997. The proposal, sponsored by Councillor Bradford, authorizes parking restrictions on Crittenden Avenue, on the east side, from Kessler Boulevard East Drive to a point 140 feet south of Kessler Boulevard East Drive (District 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Bradford, for adoption. Proposal No. 745, 1997 was adopted on the following roll call vote; viz:

*22 YEAS: Borst, Bradford, Cockrum, Coonrod, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, Shambaugh, Short, Smith, Tilford, Williams*

*0 NAYS:*

*7 NOT VOTING: Black, Boyd, Brents, Coughenour, Franklin, SerVaas, Talley*

Proposal No. 745, 1997 was retitled GENERAL ORDINANCE NO. 197, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 197, 1997

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

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

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

Crittenden Avenue, on the east side,  
from Kessler Boulevard East Drive  
to a point 140 feet south of Kessler Boulevard East Drive

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

PROPOSAL NO. 746, 1997. The proposal, sponsored by Councillor Moriarty Adams, authorizes parking restrictions on New York Street, on the south side, from Sherman Drive to a point 150 feet west of Sherman Drive; and on New York Street, on the south side, from Gale Street to Emerson Avenue (District 15). 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 Moriarty Adams, for adoption. Proposal No. 746, 1997 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

Proposal No. 746, 1997 was retitled GENERAL ORDINANCE NO. 198, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 198, 1997

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby, amended by the deletion of the following, to wit:

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

New York Street, on the south side,  
from Gale Street to Emerson Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

New York Street, on the south side,  
from Sherman Drive to a point 150 feet west of Sherman Drive

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

PROPOSAL NO. 747, 1997. The proposal, sponsored by Councillor Dowden, authorizes a weight limit restriction on Village Way between 86th Street and 96th Street (District 4). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Dowden, for adoption. Proposal No. 747, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 747, 1997 was retitled GENERAL ORDINANCE NO. 199, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 199, 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**

Village Way, from  
Eighty-six Street to Ninety-six Street

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



## NEW BUSINESS

Councillor Hinkle offered a brief response to the question raised at the last meeting regarding the City's process of demolition of abandoned properties. He asked for consent to review the process and recommend changes to the administration. Councillor Talley stated that Julia Carson, State Representative, should be issued an apology due to statements made regarding her involvement in this demolition process. Councillor Hinkle stated that he was simply quoting the Congresswoman's own words. Consent was given to Councillor Hinkle to review the City's process of demolition and recommend changes.

Councillor Short thanked the City and County employees for their service to the community in 1997.

The President congratulated Councillor Gilmer on being awarded the Benjamin Harrison Medallion, an honor given by the Columbia Club to a person displaying a patriotic spirit and high moral and ethical standards. Councillor Gilmer thanked the President for the recognition and stated that he is truly honored by the award.

## ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillor Smith in memory of James Caughey, Sr. 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 James Caughey, Sr. 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 10:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 15th day of December, 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)