

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

**REGULAR MEETINGS  
MONDAY, MARCH 16, 1998**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m. on Monday, March 16, 1998, with Councillor SerVaas presiding.

Councillor Black 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, Brens, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Moriarty Adams introduced representatives of the Near Eastside Community Organization (NESCO), Maureen Killaly and Carl Edwards. Councillor Dowden recognized George Edwards of the Lawrence City Council and others present in support of Proposal No. 737, 1997. Councillor Borst recognized Perry Township Boy Scout Troop 564 and a Perry Township school board member, Carolyn Niehaus.

**OFFICIAL COMMUNICATIONS**

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, March 16, 1998, 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

February 24, 1998

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, February 27, 1998, a copy of a Notice of Public Hearing on Proposal Nos. 60, 62, 63, 68, 72, 127, 128, 131, and 135, 1998, said hearing to be held on Monday, March 16, 1998, at 7:00 p.m. in the City-County Building.

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

March 6, 1998

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, March 13, 1998, a Copy of a Legal Notice of General Ordinance No. 30, 1998.

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

February 27, 1998

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. 8, 1998 - approves an increase of \$4,188,000 in the 1998 Budget of the Department of Parks and Recreation (Parks General Fund) to fund various capital projects financed by a grant from Lilly Endowment

FISCAL ORDINANCE NO. 9, 1998 - approves an increase of \$249,000 in the 1998 Budget of the Department of Parks and Recreation (Federal Grants Fund) to pay for an additional four park rangers financed by a Community Development Block Grant

GENERAL ORDINANCE NO. 29, 1998 - establishes a Marion Superior Court Equipment Fund as a nonreverting fund to be used for court equipment acquisition, replacement, and maintenance

March 16, 1998

GENERAL ORDINANCE NO. 30, 1998 - 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

GENERAL ORDINANCE NO. 31, 1998 - concerns cable franchise fees

GENERAL ORDINANCE NO. 32, 1998 - amends Sec. 2-358 of the Code to allow Marion County to participate in the County Corrections Fund

GENERAL ORDINANCE NO. 33, 1998 - authorizes a traffic signal at the intersection of Moller Road, Old Barn Drive and 62nd Street (District 1)

GENERAL ORDINANCE NO. 34, 1998 - authorizes intersection controls for Brill Road, Hi-Vu Drive, Ransdell Street, Tulip Drive, and Venoy Drive (District 25)

GENERAL ORDINANCE NO. 35, 1998 - authorizes a multi-way stop at Industrial Boulevard and Park 65 Drive (District 9)

GENERAL ORDINANCE NO. 36, 1998 - authorizes a multi-way stop at Masters Road and 91st Street (District 3)

GENERAL ORDINANCE NO. 37, 1998 - authorizes parking restrictions on Castle Avenue, on the south side, from Bowman Avenue to Matthews Avenue (District 20)

GENERAL ORDINANCE NO. 38, 1998 - authorizes parking restrictions on 42nd Street, on the north side, from Wittfield Street to Stouffer Lane (District 14)

SPECIAL ORDINANCE NO. 2, 1998 - a special ordinance for Visiting Nurse Service, Inc. authorizing the issuance of \$3,600,000 City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1998 (Visiting Nurse Service Foundation, Inc. Project) (District 6)

SPECIAL RESOLUTION NO. 9, 1998 - recognizes the public service of William A. J. Peddie, Jr., Assistant Superintendent of the Children's Guardian Home

SPECIAL RESOLUTION NO. 10, 1998 - an inducement resolution for Falcon Creek Place L.P. (General Partner of Housing Today, LLC) in an amount not to exceed \$6,144,600 to be used for the construction of a 131-unit multi family residential facility and the acquisition of machinery, equipment or other fixtures located at 4300 Moeller Road (Falcon Creek Place Apartments Project) (District 9)

SPECIAL RESOLUTION NO. 11, 1998 - an inducement resolution for Indianapolis IV, LLP in an amount not to exceed \$7,000,000 to be used for the acquisition and rehabilitation of the existing 248-unit Greystone Village Apartment complex located at 5505A Scarlett Drive (Northeast and Northwest quadrants of Moeller Road and 34th Streets) (Greystone Village Apartments Project) (District 8)

Respectfully,  
s/Stephen Goldsmith

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Councillor Dowden asked for consent to move Proposal No. 737, 1997 earlier on the agenda due to the number of supportive public in attendance. Consent was given. Without further objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of February 23, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 211, 1998. The proposal, sponsored by Councillor Talley, recognizes Grand Worthy Matron Diane Thompson. Councillor Talley stated that he will present the resolution to Ms. Thompson at a later date. He moved, seconded by Councillor Short, for adoption. Proposal No. 211, 1998 was adopted by a unanimous voice vote.

Proposal No. 211, 1998 was retitled SPECIAL RESOLUTION NO. 12, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1998

A SPECIAL RESOLUTION recognizing Grand Worthy Matron Diane Thompson.

WHEREAS, Diane Thompson overcame adversity in her young age to become the head of one of the largest women's Christian organizations, Prince Hall Grand Chapter of the Order of the Eastern Star; and

WHEREAS, Roselyn Diane Easton Thompson was born in Columbus, Indiana, during World War II to a family of 17 children, was put up for adoption, but succeeded in graduating from high school and attended Indiana University School of Music; and

WHEREAS, being a good person, she worked, had two wonderful children, helped care for her ailing father, and gave generously of herself in volunteer work for young people; and

WHEREAS, both her natural and adopted fathers were members of the Prince Hall Masons, and relatives were active in the Order of the Eastern Star; and

WHEREAS, Diane joined the Order of the Eastern Star when she was 18, grew with it, and today she serves the organization in its highest position in the State of Indiana—the Grand Worthy Matron of Prince Hall Grand Chapter, Order of the Eastern Star, Jurisdiction of Indiana; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the lifetime of service to others by Grand Worthy Matron Diane Thompson.

SECTION 2. May all those whose lives have been touched by Grand Worthy Matron Thompson touch the lives of others in that same way.

SECTION 3. God Bless Grand Matron Diane Thompson as she is honored today, and we wish Diane and all the members of this great organization well in the future as charity, morality, and love continue to be freely given to each other.

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

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

PROPOSAL NO. 216, 1998. The proposal, sponsored by Councillors Smith and Tilford, recognizes the years of public service of Gene Sheets. Councillor Smith read the proposal and presented Mr. Sheets and his wife, Shirley, with a copy of the document and Council pins. Councillor Tilford stated that Mr. Sheets has been a fine ambassador for the City, dealing well with all citizens. He wished Mr. Sheets well in future endeavors. Mr. Sheets thanked the Council for working with him to make his job easier. Councillor Coughenour stated that the

department will miss Mr. Sheets' presence. Councillor Smith moved, seconded by Councillor Tilford, for adoption. Proposal No. 216, 1998 was adopted by a unanimous voice vote.

Proposal No. 216, 1998 was retitled SPECIAL RESOLUTION NO. 13, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1998

A SPECIAL RESOLUTION recognizing the years of public service of Gene Sheets.

WHEREAS, Gene Sheets graduated from high school in Southern Illinois, earned a degree in geology at the University of Arkansas and did graduate work at Indiana University; and

WHEREAS, since 1980 Gene has worked with sewers, water drainage and other public works projects in Marion County for the Department of Transportation, the Department of Public Works, the Department of Capital Asset Management and the Marion County Soil and Water Conservation District; and

WHEREAS, his winning personality and can-do manner caused him to become involved with many important assignments during the past 18 years, including refurbishing 110,000 feet of guard rails needed for the Pan Am Games, reducing the backlog of drainage complaints and helping the city coordinate special events such as the "Indianapolis 500" Race, the Pan Am Games and other large events; and

WHEREAS, with the Department of Public Works Customer Service office Gene was a pleasant and friendly representative of the local government, his knowledge and experience served the citizens of Marion County very well, and working with the city's township coordinators Gene earned the respect of all those with whom he had dealings; 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 nearly two decades of outstanding public service by Gene Sheets.

SECTION 2. The Council wishes Gene and his lovely wife Shirley the best of health and happiness in his retirement as he will now have a little more time to spend with their grandchild and with trying to outsmart some fish.

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.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 737, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 737, 1997 on December 15, 1997, February, 11, 1998, and again on March 11, 1998. The proposal provides penalties for unauthorized use of handicapped parking spaces on private commercial property. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Sheriff Jack Cottey stated that this proposal will generate its own funds, relaying no costs to the taxpayers.

Councillor Williams stated that she had intended to observe the recent Public Safety and Criminal Justice Committee on television, but that it was not broadcast. She asked why it was

not shown on Channel 16. Councillor Dowden stated that not all Committee meetings are televised, and that his Committee prefers not to be televised. He stated that he is again polling Committee members to determine if the preference is the same. Councillor Williams stated that the Public Safety and Criminal Justice Committee deals with critical issues that the public needs to see. Councillor Dowden stated that there is no denial of public input and all meetings are still open for the public to attend. Councillor Williams stated that it is not always possible for people to attend meetings, even when they feel strongly about an issue.

Councillor Boyd stated that he submitted his opposition to the Public Safety and Criminal Justice Committee meetings not being televised and found that it is a policy issue, as the Chairman has the right to decide whether or not a meeting should be broadcast. He stated that he is working on bringing this before the full Council as a policy issue. Councillor Dowden stated that although televising meetings is at the discretion of the Chairman, he allows his Committee to make the decision. At least five members of his Committee do not wish for meetings to be broadcast.

Councillors Moores and Talley voiced their support of Proposal No. 737, 1997.

Councillor Gilmer asked if there is some type of identification for volunteers to wear who will be issuing tickets. Sheriff Cottey stated that there will be.

Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 737, 1997 was 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. 737, 1997 was retitled GENERAL ORDINANCE NO. 39, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1998

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana, and the Revised Code of the Consolidated City and County concerning handicapped parking and payment of civil penalties for violations thereof.

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

SECTION 1. Section 29-256.2 of Division I of Article V of the Code of Indianapolis and Marion County, Indiana be, and is hereby, amended by deleting the language stricken through and inserting the language underlined to read as follows:

**Sec. 29-256.2. Parking ~~meter~~ privileges for physically handicapped persons.**

- (a) As used in this section, "physically handicapped person" means:
  - (1) Any person who has been issued a parking permit for physically handicapped individuals pursuant to IC 9-14-5 ~~placard by the division of rehabilitation services of the Indiana Department of Human Services pursuant to IC 4-28-10-24;~~
  - (2) Any person who has been issued a handicapped person license plate or decal ~~registration plate for a motor vehicle pursuant to IC 9-18-22-7-4.1;~~ or

(3) Any person who has been issued a disabled veteran's ~~registration~~ license plate pursuant to IC 9-18-187-4.

(b) As used in this section, "private business property" and "shopping center" mean privately owned real property on which the public is invited to travel for business purposes.

(~~bc~~) The director of the department of transportation shall reserve metered parking spaces on public streets for the exclusive use of physically handicapped persons seven (7) days per week twenty-four (24) hours per day provided that such designation shall not authorize handicapped parking in such spaces during hours when parking is otherwise prohibited at such location.

(d) The owner or manager of a shopping center or private business property may reserve parking spaces within such shopping center or private business property for the exclusive use of physically handicapped persons at all times that such shopping center or private business property is open to the public.

(~~ec~~) Physically handicapped persons who park at such designated ~~metered~~ spaces shall display on their vehicle either a parking permit placard issued pursuant to IC 9-14-5 ~~4-28-10-24~~, a handicapped person license plate or decal ~~registration plate~~ issued pursuant to IC 9-18-22 ~~7-4-1~~, or a disabled veteran's registration license plate issued pursuant to IC 9-18-18 ~~7-4~~. Failure to display such placard or plate shall be a violation of this section and shall subject the owner or operator of the vehicle to the penalties provided for violations of this chapter.

(~~ef~~) Physically handicapped persons who park at designated metered spaces shall be subject to all restrictions and requirements applicable to such meters, including time restrictions and charges for parking. Failure to comply with such restrictions and requirements is a violation of this section and shall subject the owner or operator of the vehicle to the penalties provided for violations of this chapter. However, the director of the department of transportation shall issue a permit waiving time restrictions and parking charges to any physically handicapped person who files an affidavit with the department stating that he is physically incapable of depositing money in a parking meter. It shall be unlawful for any person to park at a designated metered space without depositing money in the meter unless a permit issued pursuant to this subsection is prominently displayed on the vehicle so parked.

(~~eg~~) A vehicle displaying the placard or license plate required in subsection (~~be~~) above, is eligible to be parked in the designated spaces only when the vehicle is being operated by or is providing transportation for the person to whom the placard or license plate has been issued. Failure to comply with this restriction is a violation of this section and shall subject the owner or operator of the vehicle to penalties provided for violations of this chapter.

(~~fh~~) Any person who parks at a ~~metered~~ space designated pursuant to subsections (~~b~~) (c) and (d) above, and who fails to display the placard or plate required by subsection (~~ec~~) or who is not eligible to obtain such a placard or plate shall be in violation of this section. Such violation shall subject the owner or operator of the vehicle to penalties provided for violations of this chapter. However, a vehicle displaying an unexpired handicapped parking permit, an unexpired disabled veteran's registration plate or decal issued under the laws of another state may also park in designated ~~metered~~ spaces pursuant to this section.

SECTION 2. The Revised Code of the Consolidated City and County be, and is hereby, amended by adding the following as a NEW section, designated Sec. 103-61, to read as follows:

Sec. 103-61. Certain Violations Occurring Outside Police Special Service District.

If a violation of Sec. 29-256.2 of the Code of Indianapolis and Marion County occurred outside the police special service district and is admitted to the ordinance violations bureau, the civil penalty specified in this article for such violation shall be remitted to the county auditor by the city controller.

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

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

Councillor McClamroch asked for consent to vote on Proposal Nos. 15 and 31, 1998 together. Consent was given.

PROPOSAL NO. 15, 1998. The proposal, sponsored by Councillor Hinkle, approves the Mayor's appointment of Moira Carlstedt as Director of the Department of Metropolitan Development for a term ending December 31, 1998. PROPOSAL NO. 31, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they be stricken. Councillor McClamroch moved, seconded by Councillor Hinkle, to strike. Proposal Nos. 15 and 31, 1998 were stricken by a unanimous voice vote.

Councillor McClamroch asked for consent to vote on Proposal Nos. 36, 102, 105, and 145, 1998 together. All proposals are board appointments which passed out of Committee with unanimous recommendations. Consent was given.

PROPOSAL NO. 36, 1998. The proposal, sponsored by Councillors McClamroch and Talley, reappoints Phyllis Carr to the Urban Enterprise Association. PROPOSAL NO. 102, 1998. The proposal, sponsored by Councillor McClamroch, appoints John M. Mallers to the Audit Committee. PROPOSAL NO. 105, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Stuart Rhodes to the Cable Franchise Board. PROPOSAL NO. 145, 1998. The proposal, sponsored by Councillors McClamroch and SerVaas, appoints Charles P. Mason to the City-County Administrative Board. Councillor McClamroch moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 36, 102, 105, and 145, 1998 were adopted by a unanimous voice vote.

Proposal No. 36, 1998 was retitled COUNCIL RESOLUTION NO. 40, 1998, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1998**

A COUNCIL RESOLUTION reappointing Phyllis Carr to the Urban Enterprise Association.

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

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Phyllis Carr

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2001. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 102, 1998 was retitled COUNCIL RESOLUTION NO. 41, 1998, and reads as follows:



March 16, 1998

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1998

A COUNCIL RESOLUTION appointing John M. Mallers to the Audit Committee.

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

SECTION I. As a member of the Audit Committee, the Council appoints:

John M. Mallers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 105, 1998 was retitled COUNCIL RESOLUTION NO. 42, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1998

A COUNCIL RESOLUTION reappointing Stuart Rhodes to the Cable Franchise Board.

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

SECTION I. As a member of the Cable Franchise Board, the Council appoints:

Stuart Rhodes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 145, 1998 was retitled COUNCIL RESOLUTION NO. 43, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1998

A COUNCIL RESOLUTION appointing Charles P. Mason to the City-County Administrative Board.

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

SECTION I. As a member of the City-County Administrative Board, the Council appoints:

Charles P. Mason

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor O'Dell asked for consent to hear Proposal No. 177, 1998, which is being introduced this evening. He stated that the Parks and Recreation Committee discussed this appointment on March 11, 1998. He stated that Committee members are in unanimous favor of the proposal. Consent was given.

PROPOSAL NO. 177, 1998. The proposal, sponsored by Councillors McClamroch and O'Dell, reappoints Diana Wilson Hall to the Board of Parks and Recreation. Councillor O'Dell moved,

seconded by Councillor McClamroch, for adoption. Proposal No. 177, 1998 was adopted by a unanimous voice vote.

Proposal No. 177, 1998 was retitled COUNCIL RESOLUTION NO. 44, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1998

A COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks and Recreation.

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

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Diana Wilson Hall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 164, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns the new Wireless Communications Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 165, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Airport Zoning Ordinance by revising the Airspace District Zoning Base Maps"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 166, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Wellfield Protection Zoning Ordinance by removing the requirement that Wellfield Protection Districts conform to property boundaries and city streets"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 167, 1998. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Resolution which designates a section of Walnut Street as the "USS Indianapolis Memorial Way"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 168, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$15,511,839 in the 1998 Budget of the Department of Metropolitan Development (Consolidated County, Redevelopment General, State Grants, and Federal Grants Funds) to support and provide affordable housing and economic development opportunities for the citizens of Indianapolis financed by a transfer of \$1,448,750 in the Federal Grants Fund and \$14,063,089 from various federal and state grants and fund balances"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 169, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,516,000 in the 1998 Budget of the County Recorder (County Recorder's Perpetuation Fund) to convert manual records to a computer system, purchase an optical drive, and install GroupWise software financed by fund balances"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 170, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$700,000 in the 1998 Budget of the Office of the Controller (Consolidated County Fund) to fund City Market utilities, Front Porch Alliance, and Data Collection financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 171, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$77,478 in the 1998 Budget of the County Coroner (County General Fund) to pay the increased cost of the Indiana University Contract and other budget shortfalls discussed during budget hearings"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 172, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 1998 Budget of the County Coroner (State and Federal Grants Fund) to fund the completion of the Coroner's database system funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 173, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$379 in the 1998 Budget of the Franklin Township Assessor (County General Fund) to cover the increased cost of postage meter lease payments financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 174, 1998. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code concerning the procedures of the audit committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 175, 1998. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the community services plan developed by the Marion County Early Intervention Plan Team to provide services to children either in need of services or at risk of needing services"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 176, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints C. Richard Petticrew to the Indianapolis Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 178, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$57,575 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) for public art projects within the community financed by the proceeds of the Snow Plow sculpture"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 179, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$215,900 in the 1998 Budget of the Department of Parks and Recreation (City Cumulative Development Fund) for construction projects financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 180, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$889,395 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) for Smock Golf Course irrigation, Lilly Endowment projects, mowing contracts, portable toilet rental, and building repairs financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 181, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,214,606 in the 1998 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to upgrade Automated Fingerprint Identification System (AFIS) and to make subgrants to the Sheriff, Prosecutor, Marion County Courts, and Marion County School Systems financed by a Local Law Enforcement Block Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 182, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves an increase of \$1,200,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) for special one-time crime initiatives financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 183, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves an increase of \$300,000 in the 1998 Budget of the Department of Public Safety, Fire Division (Fire Service District Fund) to purchase two vehicles and to renovate Station 14 financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 184, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,937,126 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (County Construction Fund) to construct an alternative school financed by a Lilly Endowment Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 185, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$142,065 in the 1998 Budget of the County Sheriff (Cumulative Capital Development Fund) to purchase additional

Sheriff vehicles financed by auction proceeds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 186, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$54,200 in the 1998 Budget of the Prosecuting Attorney (County Grants Fund) to fund a prosecutor dedicated to handgun violations funded by a grant from the City"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 187, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$561,663 in the 1998 Budget of the Prosecuting Attorney, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to fund the Federal Law Enforcement Block Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 188, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$44,893 in the 1998 Budget of the Community Corrections Agency (State and Federal Grants Fund) to fund the prevention grant for the John H. Boner Community Center funded by a grant from the Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 189, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$28,238 in the 1998 Budget of the Community Corrections Agency (State and Federal Grants Fund) to fund the prevention grant for the Office of the Presiding Judge funded by a grant from the Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 190, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$49,708 in the 1998 Budget of the Community Corrections Agency (State and Federal Grants Fund) to fund the prevention grant for the Community Action of Greater Indianapolis funded by a grant from the Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 191, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$58,157 in the 1998 Budget of the Community Corrections Agency (State and Federal Grants Fund) to fund the Craine House Day Reporting Program for fiscal year 1997-1998 funded by a grant from the Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 192, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$235,000 in the 1998 Budget of the Department of Public Works, Administrative Division (Consolidated County Fund) to pay overtime for identification of abandoned vehicles financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 193, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$112,000 in the 1998 Budget of the Department of Public Works, Administrative Division (Federal Grants Fund) to provide for wet weather education financed by an EPA grant"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 194, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$14,644 in the 1998 Budget of the Department of Public Works, Administrative Division (Federal Grants Fund) to fund the remaining balance of the EPA Brownfields Grant"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 195, 1998. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for the fire station entrance located at 2508 East 71st Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 196, 1998. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Allen Avenue and Yoke Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 197, 1998. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Gilbert Avenue and Hardegan Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 198, 1998. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Dudley Avenue and Hardegan Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 199, 1998. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lexington Avenue and Randolph Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 200, 1998. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 18th Street and DeQuincy Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 201, 1998. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Meadows Drive and Meadows Parkway (District 11)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 202, 1998. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for

Themplehof Drive (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 203, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Scarborough Boulevard South Drive and Fairwood Drive (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 204, 1998. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 86th Street and County Line Road East (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 205, 1998. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lighthouse Way and Marlin Court and Tarpon Drive (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 206, 1998. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Draper Street and Gimber Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 207, 1998. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lynn Street and St. Clair Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 208, 1998. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at California Street and North Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 209, 1998. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Henry Street and McClure Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 210, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Sunningdale Commons, Sections 3 and 4 (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 212, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Al Polin to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 213, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Pat Pritchett to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 224, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Lance L. Bundles to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 225, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jon M. Bailey to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 226, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Virginia Dill McCarty to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 227, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Patricia M. Nickell to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 228, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Robert McCalep to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

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

PROPOSAL NO. 214, 1998. Councillor Borst reported that the Economic Development Committee heard Proposal No. 214, 1998 on March 12, 1998. The proposal is a special ordinance for Kingsmill Venture, L.P. authorizing the issuance of \$10,000,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds, Series 1998 A and \$2,250,000 Taxable Multi-Family Housing Revenue Refunding Bonds, Series 1998 B for facilities located at 6363 Commons Drive (Kingsmill Apartments Project) (District 1). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams stated that she will abstain to avoid the appearance of a conflict of interest.

Councillor Borst moved, seconded by Councillor Massie, for adoption. Proposal No. 214, 1998 was adopted on the following roll call vote; viz:



March 16, 1998

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

0 NAYS:

4 NOT VOTING: *Black, Gray, Jones, Moriarty Adams*

Proposal No. 214, 1998, was retitled SPECIAL ORDINANCE NO. 3, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1998

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$10,000,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds, Series 1998A and its \$2,250,000 City of Indianapolis, Indiana Taxable Multi-Family Housing Revenue Refunding Bonds, Series 1998B (Kingsmill Apartments Project) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12, as amended, and Title 5, Article 1, Chapter 5, as amended (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

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

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

WHEREAS, in order to provide money with which to fund the acquisition, substantial rehabilitation and financing of the existing 192-unit multi-family residential facility plus clubhouse currently known as Emerald Green Apartments plus the construction and equipping of an additional 112 multi-family residential rental units, all located at 6363 Commons Drive, Indianapolis, Marion County, Indiana on approximately 32 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, rehabilitation, construction and installation of various site improvements at the facility, together with the costs of rehabilitating such apartment complex (the "Project") and pay certain costs of issuance, the City of Indianapolis, Indiana (the "Issuer") has previously issued, sold and delivered its \$10,000,000 aggregate principal amount of its City of Indianapolis, Indiana Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997A (Kingsmill Venture, L.P. Project) (the "Prior Series 1997A Bonds") and \$5,000 aggregate principal amount of its City of Indianapolis, Indiana Taxable Variable/Fixed Rate Multi-Family Housing Revenue Bonds, Series 1997B (Kingsmill Venture, L.P. Project) (the "Prior Series 1997B Bonds") (the Prior Series 1997A Bonds and the Prior Series 1997B Bonds are collectively referred to as the "Prior Bonds"), pursuant to an Indenture of Trust (the "Prior Indenture") dated as of July 1, 1997, between the Issuer and Norwest Bank Indiana, N.A., as trustee (the "Prior Trustee") and has previously made a loan (the "Prior Loan") of the proceeds thereof to Kingsmill Development Co., LLC, an Indiana limited liability company (the "Company") pursuant to a Loan Agreement (the "Prior Loan Agreement") dated as of July 1, 1997, between the Issuer and the Company; and

WHEREAS, the Prior Bonds are subject to redemption prior to maturity in whole or in part on certain dates, in the event and to the extent that the outstanding principal balance of the Prior Loan is prepaid on an optional basis by the Company; and

WHEREAS, a representative of the Company has notified the Issuer of its intention to prepay the Prior Loan and cause the redemption of the Prior Bonds; and

WHEREAS, a representative of the Company has requested that the Issuer provide a new loan to the Company (the "Loan"), for the purpose of refinancing the Project and providing for the refunding of the Prior Bonds; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance and refinance the acquisition and substantial rehabilitation of the Project by issuing its \$10,000,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds, Series 1998 A (the "Series 1998A Bonds") and its \$2,250,000 City of Indianapolis, Indiana Taxable Multi-Family Housing Revenue Refunding Bonds, Series 1998B (Kingsmill Apartments Project) (the "Series 1998B Bonds") (the Series 1998A Bonds and the Series 1998B Bonds are collectively referred to as the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 11, 1998 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing and refinancing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated the Issuance Date (as defined in the Indenture) by and between the Issuer and Norwest Bank Indiana, N.A., as trustee (the "Trustee") which will be sold to William Blair & Company, L.L.C. (the "Underwriter") pursuant to a Purchase Contract (the "Purchase Contract") dated the date of the sale of the Bonds among the Issuer, the Company and the Underwriter in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated the Issuance Date (as defined in the Indenture), between the Issuer and the Company, which shall be secured by an Open-End Real Estate Mortgage, Security Agreement, Collateral Assignment of Rents and Leases, and Fixture Filing (the "Mortgage") dated the Issuance Date from the Company to the Trustee for the purpose of financing, refinancing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

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

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Mortgage, Purchase Contract, Amended and Restated Land Use Restriction Agreement, Limited Offering Memorandum, the forms of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing and refinancing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing, refinancing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

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

SECTION 3. The Issuer shall issue its Series 1998A Bonds in the aggregate principal amount not to exceed \$10,000,000 and its Series 1998B Bonds in the principal amount not to exceed \$2,250,000 for the purpose of procuring funds to loan to the Company in order to finance, refinance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The

Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Limited Offering Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Limited Offering Memorandum is hereby authorized to certify to the Underwriter that the information in the Limited Offering Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Limited Offering Memorandum.

SECTION 5. The City Clerk and the City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest not to exceed 10% per annum, which sale shall occur not later than 90 days after the effective date of this special ordinance. The use of a Final Limited Offering Memorandum is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and the City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or the City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of the special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. The Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder (the "Code") does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company following receipt of supporting materials submitted by the Company to the Indiana Housing Finance Authority (the "IHFA") and either written representations of the Company or of the IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project, and (ii) the Project satisfied the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the purchasers thereof and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 9. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 215, 1998. Councillor Borst reported that the Economic Development Committee heard Proposal No. 215, 1998 on March 12, 1998. The proposal is a special ordinance for the Piedmont Foundation, Inc. authorizing the issuance of \$19,450,000 City of Indianapolis, Indiana Economic Development Multi-Family Housing Revenue Bonds to finance the acquisition and rehabilitation of facilities located at 2900 East Hanna Avenue (Nantucket Cove Apartments Project) (District 24). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 215, 1998 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Black, Brents, Gray*

Proposal No. 215, 1998 was retitled SPECIAL ORDINANCE NO. 4, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1998

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to \$19,450,000 City of Indianapolis, Indiana Economic Development Multi-Family Housing Revenue Bonds (Piedmont Foundation, Inc. Project) and approving and authorizing other actions in respect thereto.

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

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

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

WHEREAS, a representative of Piedmont Foundation, Inc., a Georgia not-for-profit company (the "Applicant") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Applicant or an affiliated entity called Piedmont-Nantucket Cove, LLC (collectively, the "Company") in order to enable the Company to undertake and complete the acquisition, renovation, expansion, construction and equipping of the existing 648-unit multi-family residential facility commonly known as Nantucket Cove Apartments located on a 25 acre parcel of land at 2900 East Hanna Avenue, Indianapolis, Indiana; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition and substantial rehabilitation of the Project by issuing up to \$19,450,000 City of Indianapolis, Indiana Economic Development Multi-Family Housing Revenue Bonds (Nantucket Cove Apartments Project) (the "Bonds"); and

March 16, 1998

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 11, 1998 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of the date of issuance of the Bonds by and between the Issuer and \_\_\_\_\_, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan and Financing Agreement (the "Loan Agreement") dated as of the date of issuance of the Bonds, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

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

WHEREAS, there has been submitted to the Commission for its approval substantially final forms of the Loan and Financing Agreement, Trust Indenture, Promissory Note, Mortgage, Security Agreement and Assignment of Rents and Leases, Tax Regulatory Agreement, Private Placement Memorandum and Form of Bond (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the principal amount not to exceed \$19,450,000 for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan and Financing Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest not to exceed 15% percent per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds

to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 217, 1998 and PROPOSAL NOS. 218-223, 1998. Introduced by Councillor Hinkle. Proposal No. 217, 1998 and Proposal Nos. 218-223, 1998 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on March 13, 1998. 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. 57-63, 1998, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 57, 1998.

97-Z-138

2618 BETHEL AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.35 acre, being in the SU-1 District, to the C-2 classification to provide for high-intensity office-apartment uses such as a non-for profit office use.

REZONING ORDINANCE NO. 58, 1998.

97-Z-229

8605 WEST 21<sup>st</sup> STREET (approximate address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

DONALD C. SKILES, by Stephen D. Mears, requests a rezoning of 10 acres, being in the D-A District, to the D-11 classification to provide for the expansion of a mobile home park.

REZONING ORDINANCE NO. 59, 1998.

98-Z-3

950 NORTH GIRLS SCHOOL ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

HANSEN & HORN GROUP, INC., by Thomas Michael Quinn, request a rezoning of 10 acres, being in the D-A District, to the D-6II classification to provide for a multi-family residential development.

REZONING ORDINANCE NO. 60, 1998.

98-Z-27

5991 WEST 56<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

CORINTHIAN MISSIONARY BAPTIST CHURCH, INC., by Stephen D. Mears, requests a rezoning of 9.33 acres, being in the D-A District, to the SU-1 classification to provide for a church.

REZONING ORDINANCE NO. 61, 1998.

98-Z-28

6329 HOLLISTER DRIVE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 8

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KARL P. BUETOW, by Robert E. Jarzen, requests a rezoning of 0.22 acre, being in the D-A District, to the C-1 classification to provide for commercial office uses.

REZONING ORDINANCE NO. 62, 1998.

98-Z-29

10512 EAST 38<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICTS # 5 & 14

FERVENT PRAYER MINISTRIES, INC., requests a rezoning of 7.99 acres, being in the D-7 and D-5II Districts, to the SU-1 classification to provide for religious uses including the construction of a church and day care nursery.

REZONING ORDINANCE NO. 63, 1998.

98-Z-30

751 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

FAMILY AUTO HOLDINGS, by Philip A. Nicely, requests a rezoning of 5.84 acres, being in the C-4 and C-S Districts, to the C-5 classification to provide for general commercial uses including an automobile dealership and other automobile-related uses.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 60, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 60, 1998 on February 3, 1998. The proposal approves an increase of \$145,208 in the 1998 Budgets of the nine Township Assessors (County General Fund) to fund technology upgrades as identified in the 1998 proposed county budget financed by fund balances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst stated that he is opposed to Proposal Nos. 60, 62, 63, and 72, 1998 because they deplete the County General Fund balance, and he does not feel these proposals have been well thought out.

The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 60, 1998 was adopted on the following roll call vote; viz:

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

*1 NAY: Borst*

*2 NOT VOTING: Black, Gray*

Proposal No. 60, 1998 was retitled FISCAL ORDINANCE NO. 10, 1998, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 10, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Forty-five Thousand Two Hundred Eight Dollars (\$145,208) in the County General Fund for purposes of the Center, Decatur, Franklin, Lawrence, Perry, Pike, Warren, Washington, and Wayne Township Assessors 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(l,m,n,o,p,q,r,s,t) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Center, Decatur, Franklin, Lawrence, Perry, Pike, Warren, Washington, and Wayne Township Assessors to fund technology upgrades.

SECTION 2. The sum of One Hundred Forty-five Thousand Two Hundred Eight Dollars (\$145,208) 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>CENTER TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies 135	
4. Capital Outlay	2,172
<u>DECATUR TOWNSHIP ASSESSOR</u>	
2. Supplies 290	
4. Capital Outlay	15,870
<u>FRANKLIN TOWNSHIP ASSESSOR</u>	
2. Supplies 285	
4. Capital Outlay	12,807
<u>LAWRENCE TOWNSHIP ASSESSOR</u>	
2. Supplies 405	
4. Capital Outlay	18,430
<u>PERRY TOWNSHIP ASSESSOR</u>	
2. Supplies 510	
4. Capital Outlay	11,270
<u>PIKE TOWNSHIP ASSESSOR</u>	
2. Supplies 1,065	
4. Capital Outlay	24,595
<u>WARREN TOWNSHIP ASSESSOR</u>	
2. Supplies 569	
4. Capital Outlay	11,873
<u>WASHINGTON TOWNSHIP ASSESSOR</u>	
2. Supplies 430	
4. Capital Outlay	23,466
<u>WAYNE TOWNSHIP ASSESSOR</u>	
2. Supplies 851	
4. Capital Outlay	<u>20,185</u>
 TOTAL INCREASE	 145,208

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>145,208</u>
TOTAL REDUCTION	145,208

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

PROPOSAL NO. 62, 1998. Councillor Franklin reported that the Community Affairs Committee heard Proposal No. 62, 1998 on February 18, 1998. The proposal approves an



increase of \$53,438 in the 1998 Budget of the County Auditor (County General Fund) to increase the grant to the Marion County Fair Board by the amount that was reduced in 1994 financed by fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:00 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 62, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 62, 1998 was retitled FISCAL ORDINANCE NO. 11, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Fifty-three Thousand Four Hundred Thirty-eight Dollars (\$53,438) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor to increase the grant to the Marion County Fair Board by the amount that was reduced in 1994.

SECTION 2. The sum of Fifty-three Thousand Four Hundred Thirty-eight Dollars (\$53,438) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	53,438
TOTAL INCREASE	53,438

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	53,438
TOTAL REDUCTION	53,438

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

PROPOSAL NO. 63, 1998. Councillor Franklin reported that the Community Affairs Committee heard Proposal No. 63, 1998 on February 18, 1998. The proposal approves an increase of \$32,000 in the 1998 Budget of the Cooperative Extension Service (County General Fund) to reimburse Purdue University for the increased cost of extension agents financed by fund

balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:02 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Cockrum, for adoption. Proposal No. 63, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 63, 1998 was retitled FISCAL ORDINANCE NO. 12, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Thirty-two Thousand Dollars (\$32,000) in the County General Fund for purposes of the Cooperative Extension Service 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(dd) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to reimburse Purdue University for the increased cost of extension agents.

SECTION 2. The sum of Thirty-two Thousand Dollars (\$32,000) 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>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>32,000</u>
TOTAL INCREASE	32,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>32,000</u>
TOTAL REDUCTION	32,000

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

PROPOSAL NO. 68, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 68, 1998 on January 28, 1998. The proposal approves an increase of \$20,092 in the 1998 Budget of the County Sheriff (County General Fund) to re-appropriate unspent funds from 1997 to pay for computer software licenses. 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 8:03 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 68, 1998 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Bradford, 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:  
2 NOT VOTING: Brents, Franklin

Proposal No. 68, 1998 was retitled FISCAL ORDINANCE NO. 13, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty Thousand Ninety-two Dollars (\$20,092) in the County General Fund for purposes of the County Sheriff 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(y) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay for computer software licenses.

SECTION 2. The sum of Twenty Thousand Ninety-two Dollars (\$20,092) 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>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>20,092</u>
TOTAL INCREASE	20,092

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>20,092</u>
TOTAL REDUCTION	20,092

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

Councillor Franklin reported that the Community Affairs Committee heard Proposal Nos. 71 and 72, 1998 on February 18, 1998. He asked for consent to vote on Proposal Nos. 71 and 72, 1998 together. Consent was given.

PROPOSAL NO. 71, 1998. The proposal amends Sections 135-101 and 135-102 of the Revised Code to provide for additions to the County General Fund Reserve Account. PROPOSAL NO. 72, 1998. The proposal approves an appropriation in the 1998 Budget of Marion County (County General Fund Reserve Account) in the amount of \$2,000,000 for the future implementation of The Guardian Home 2000 Plan financed from County General Fund balances.

By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Massie, for adoption. Proposal Nos. 71 and 72, 1998 were adopted on the following roll call vote; viz:

28 YEAS: Black, 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  
1 NAY: Borst

Proposal No. 71, 1998 was retitled GENERAL ORDINANCE NO. 40, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1998

A GENERAL ORDINANCE amending Sections 135-101 and 135-102 of the Revised Code to provide for additions to the County General Fund Reserve Account.

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

SECTION 1. Sec. 135-101 and Sec. 135-102 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by inserting the underlined text to read as follows:

**Sec. 135-101. County General Fund Reserve Account established.**

(a) There is hereby established a County General Fund Reserve Account as subfund of the County General Fund.

(b) There may be appropriated annually as part of the annual budget sums designated for deposit in the County General Fund Reserve Account in such amounts as the City-County Council may determine in connection with adoption of the Annual Budget for the county in amounts deemed prudent to provide for uncertainties in tax assessments or potential increases in non- discretionary obligations of the county.

(c) Additional amounts may be appropriated as sums designated for deposit in the County General Fund Reserve Account in such amounts as may be determined necessary by the city-county council as a reserve for future appropriations that are anticipated but not approved with respect to future completion of authorized capital projects.

**Sec. 135-102. Uses of Reserve Account.**

Expenditures shall be made from the Reserve Account only upon specific appropriation by ordinance of the City-County Council and only for the payment of extraordinary expenses that could not have been reasonably calculated or anticipated at the time of the adoption of the annual budget or for continuing capital projects authorized after the adoption of the annual budget.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 35-3-4-14.

Proposal No. 72, 1998 was retitled FISCAL ORDINANCE NO. 14, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Two Million Dollars (\$2,000,000) for the County

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General Fund Reserve Account for purposes of future appropriations for the Marion County Children's Guardian Home 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 City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of future funding for the implementation of The Guardian Home 2000 Plan of the Marion County Children's Guardian Home.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY GENERAL FUND RESERVE ACCOUNT</u>	<u>COUNTY GENERAL FUND</u>
TOTAL INCREASE	2,000,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>2,000,000</u>
TOTAL REDUCTION	2,000,000

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

PROPOSAL NO. 94, 1998. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 94, 1998 on March 12, 1998, after having been postponed in Council on February 23, 1998. The proposal approves an increase of \$250,000 in the 1998 Budget of the Department of Public Works, Contract Compliance Division (Sanitation General Fund) and an increase of \$50,000 in the 1998 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to pay for the customer services portion of the sewer collection system contract funded by a transfer of \$300,000 from the Department of Public Works, Maintenance Operations Division (Maintenance General Fund). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 94, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 94, 1998 was retitled FISCAL ORDINANCE NO. 15, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Sanitation General Fund for the Department of Public Works, Contract

Compliance Division, and Fifty Thousand Dollars (\$50,000) in the Transportation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing certain other appropriations for the Department of Public Works, Maintenance Operation Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Contract Compliance Division, and the Department of Capital Asset Management, Asset Management Division, for the contracting of customer service portion of the sewer collection system.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>CONTRACT COMPLIANCE DIVISION</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services and Charges	250,000
TOTAL INCREASE	250,000

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	50,000
TOTAL INCREASE	50,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE GENERAL FUND</u>
1. Personal Services	75,000
2. Supplies	127,000
3. Other Service and Charges	33,000
5. Internal Charges	65,000
TOTAL DECREASE	300,000

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

PROPOSAL NO. 95, 1998. Councillor Shambaugh, as the Acting Chairman in Councillor Schneider's absence, reported that the Administration and Finance Committee heard Proposal No. 95, 1998 on March 3, 1998. The proposal, sponsored by Councillor Curry, approves an increase of \$22,000 in the 1998 Budget of the Cable Communications Agency (Consolidated County Fund) to pay for a replacement van for Channel 16 financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Shambaugh moved, seconded by Councillor Curry, for adoption. Proposal No. 95, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: Borst, Bradford, Gray, Moores, Williams

Proposal No. 95, 1998 was retitled FISCAL ORDINANCE NO. 16, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the Consolidated County Fund for purposes of the Cable Communications Agency and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(d) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to purchase a replacement van.

SECTION 2. The sum of Twenty-two Thousand Dollars (\$22,000) 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>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>22,000</u>
TOTAL INCREASE	22,000

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>22,000</u>
TOTAL REDUCTION	22,000

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. 127, 128, and 131, 1998 and Proposal No. 129, 1998 under Final Adoption on March 11, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 127, 1998. The proposal approves an increase of \$118,985 in the 1998 Budget of the Prosecuting Attorney (Deferral Program Fee Fund) to appropriate unspent deferral funds from 1997 to cover the loss of Weed and Seed funding, pay employee buy-outs, and fund a summer intern program. PROPOSAL NO. 128, 1998. The proposal approves a transfer of \$45,200 in the 1998 Budgets of the County Sheriff and Prosecuting Attorney (Deferral Program Fee Fund) to allocate overtime funds from the Prosecutor's Traffic Safety Partnership to the Marion County Sheriff's Department. PROPOSAL NO. 131, 1998. The proposal approves an increase of \$23,108 in the 1998 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to continue a program to conduct drug tests and interviews with defendants held in lockup funded by a grant. PROPOSAL NO. 129, 1998. The proposal approves a transfer of \$79,129 in the 1998 Budget of the Prosecuting Attorney (Deferral Program Fee Fund) from the Traffic Safety Partnership to replace expenses previously funded by a grant. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Black asked how many drug testing programs are in the City. Councillor Dowden stated that there are several private drug-testing entities throughout the City, but only one which is offered by the City administration for offenders.

The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 127, 128, 131, and 129, 1998 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. 127, 1998 was retitled FISCAL ORDINANCE NO. 17, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Eighteen Thousand Nine Hundred Eighty-five Dollars (\$118,985) in the Deferral Program Fee Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney to cover the loss of Weed and Seed funding, pay employee buy-outs, and fund a summer intern program.

SECTION 2. The sum of One Hundred Eighteen Thousand Nine Hundred Eighty-five Dollars (\$118,985) 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>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - Fringes	19,797
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	79,188
2. Supplies	<u>20,000</u>
TOTAL INCREASE	118,985

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

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	<u>118,985</u>
TOTAL REDUCTION	118,985

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



Proposal No. 128, 1998 was retitled FISCAL ORDINANCE NO. 18, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Forty-five Thousand Two Hundred Dollars (\$45,200) in the Deferral Program Fee Fund for purposes of the County Auditor and County Sheriff and reducing certain other appropriations for the Prosecuting Attorney.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v,y) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, and County Sheriff to allocate overtime funds from the Prosecutor's Traffic Safety Partnership to the Marion County Sheriff's Department.

SECTION 2. The sum of Forty-five Thousand Two Hundred Dollars (\$45,200) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - Fringes	6,328
<u>COUNTY SHERIFF</u>	
1. Personal Services	<u>38,872</u>
TOTAL INCREASE	45,200

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

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
3. Other Services and Charges	<u>45,200</u>
TOTAL DECREASE	45,200

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

Proposal No. 131, 1998 was retitled FISCAL ORDINANCE NO. 19, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty-three Thousand One Hundred Eight Dollars (\$23,108) in the State and Federal Grants Fund for purposes of the County Auditor and Marion County Justice Agency 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,bb) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Justice Agency to continue a program to conduct drug tests and interviews with defendants held in lockup.

SECTION 2. The sum of Twenty-three Thousand One Hundred Eight Dollars (\$23,108) 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	3,091
 <u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	19,317
2. Supplies 500	
3. Other Services and Charges	<u>200</u>
TOTAL INCREASE	23,108

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>23,108</u>
TOTAL REDUCTION	23,108

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. 129, 1998 was retitled FISCAL ORDINANCE NO. 20, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Seventy-nine Thousand One Hundred Twenty-nine Dollars (\$79,129) in the Deferral Program Fee Fund for purposes of the County Prosecutor and Prosecuting Attorney 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(b,v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney to transfer funds from the Traffic Safety Partnership to replace expenses previously funded by a grant.

SECTION 2. The sum of additional Seventy-nine Thousand One Hundred Twenty-nine Dollars (\$79,129) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - Fringes	14,806
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	62,823
2. Supplies	<u>1,500</u>
TOTAL INCREASE	79,129

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

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
3. Other Services and Charges	<u>79,129</u>
TOTAL DECREASE	79,129

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

PROPOSAL NO. 135, 1998. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 135, 1998 on March 4, 1998. The proposal, sponsored by Councillors Borst and Gilmer, approves an increase of \$3,500,000 in the 1998 Budget of the Department of Capital Asset Management, Asset Management Division (State Grants Fund) to pay for the widening of Harding Street between I-465 and Hanna Avenue financed by a Build Indiana Fund Grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Borst, for adoption. Proposal No. 135, 1998 was 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. 135, 1998 was retitled FISCAL ORDINANCE NO. 21, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Three Million Five Hundred Thousand Dollars (\$3,500,000) in the State Grants Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the State 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 (l) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, for street widening of Harding Street between I-465 and Hanna Avenue.

SECTION 2. The sum of Three Million Five Hundred Thousand Dollars (\$3,500,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>STATE GRANTS FUND</u>
<u>ASSET MANAGEMENT DIVISION</u>	
4. Capital Outlay	<u>3,500,000</u>
TOTAL INCREASE	3,500,000

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	.
State Grants Fund	<u>3,500,000</u>
TOTAL REDUCTION	3,500,000

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

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

### SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 93, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 93, 1998 on February 11, 1998. The Council returned the proposal to Committee on February 23, 1998, and the Committee heard it again on March 11, 1998. The proposal approves an increase of \$1,202,456 in the 1998 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to pay for design and modeling of the Integrated Law Enforcement System (ILES) and upgrade of mobile data terminals (MDTs) financed by federal grants. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 93, 1998 was 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. 93, 1998 was retitled FISCAL ORDINANCE NO. 22, 1998, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 22, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Million Two Hundred Two Thousand Four Hundred Fifty-six Dollars (\$1,202,456) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (m) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for the design and modeling of the Law Enforcement System (ILES) and an upgrade of mobile data terminals (MDTs).

SECTION 2. The sum of One Million Two Hundred Two Thousand Four Hundred Fifty-six Dollars (\$1,202,456) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
	<u>FEDERAL GRANTS FUND</u>
2. Supplies	2,700
3. Other Services and Charges	414,756
4. Capital Outlays	<u>785,000</u>
TOTAL INCREASE	1,202,456

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>1,202,456</u>
TOTAL REDUCTION	1,202,456

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

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

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 524, 1997. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 524, 1997 beginning on August 27, 1997, and on several subsequent occasions. The Council returned the proposal to the Committee on September 15, 1997, and again on February 23, 1998. The Committee heard the proposal again on March 4, 1998. The proposal, sponsored by Councillor Williams, concerns school zones. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Maureen Killaly, a representative of NESCO, suggested that crosswalks at schools be more clearly marked.

Councillor Franklin stated that there are too many different traffic situations where this proposal would not benefit the community. He stated that there are too many variables that the proposal does not address, such as to when the school hours are and when children are actually present.

Councillor Short stated that he supports the proposal.

Councillor Cockrum stated that he has had concern expressed by constituents as to how each district will be addressed. He added that it seems the mechanism for implementation has not been fully addressed.

Councillor Borst stated that he has the same concerns regarding implementation and how the signage will work. Councillor Williams stated that the Board of Asset Management and Public Works ("Board") will be responsible for implementation. Councillor Borst asked what happens if the Councillor of that district disagrees with the Board's decisions. Councillor Williams stated that the Board has always been open to working and negotiating with Councillors. Councillor

Borst asked about the signage. Councillor Williams stated that the signs already exist, but that they will be repainted to reflect speed limits and time frames.

Councillor Gilmer urged Councillors to support Proposal No. 524, 1997, as amended, and moved, seconded by Councillor Williams, for adoption. Proposal No. 524, 1997, as amended, 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  
1 NAY: Franklin  
2 NOT VOTING: Black, Coughenour

Proposal No. 524, 1997, as amended, was retitled GENERAL ORDINANCE NO. 41, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1998

A GENERAL ORDINANCE concerning school zones.

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

SECTION 1. Sec. 29-137 of the "Code of Indianapolis and Marion County, Indiana" be, and is hereby amended by deleting the stricken-through text and inserting the underlined text to read as follows:

**Sec. 29-137. School zones.**

(a) There is hereby created within the city areas defined and established as school zones, which shall be defined as that portion of any street, boulevard, parkway or alley contiguous to any educational institution, regardless of whether it is public or private, and ~~extending for a distance of three hundred (300) feet along said zone shall vary depending on the posted speed limit from 500 feet for a posted speed limit of 30 mph and 800 feet for a posted speed limit of 55 mph along the street, boulevard, parkway or highway in each direction from the property of the educational institution.~~

(b) No person shall drive a motor vehicle on any street, boulevard, parkway or highway within a school zone established pursuant to subsection (a) at a speed greater than twenty-five (25) miles per hour.

(c) Where no special hazard exists, the speed prescribed in subsection (b) shall be lawful, but any speed in excess of that limit shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

(d) The speed restriction established in subsection (b) ~~is in~~ school zones shall be in force from 7:00 a.m. to 4:30 p.m. thirty (30) minutes before the regular hours of school attendance and shall remain in force until thirty (30) minutes after the schools terminate their school day, on all days on which the schools are in operation, except as stated in subsection (f), provided that any school zone speed limit established on a state highway shall apply only when children are present.

(e) No restriction under this section shall be applicable until the ~~bureau of traffic engineering~~ Department of Public Works (DPW) shall post reasonable and adequate signs indicating the existence of such school zones, their point of commencement and point of termination.

(f) ~~After recommendation of the board of transportation, based upon engineering and traffic surveys, this section may be amended by ordinance to increase or decrease the speed limit in specific school zones within the city without affecting the validity or intent of this section. The board of asset management and public works, upon recommendations of the director of the department of capital asset management based upon engineering and traffic surveys, may by regulation with respect to specific~~

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school zones change the hours specified in subsection (d) during which the speed restriction applies and increase or decrease the speed limit specified in subsection (b) but not to lower than 20 miles per hour.

(g) The Indiana Manual of Uniform Traffic Control Devices (IMUTCD) and any other policies, practices and standards developed by DCAM shall be the criteria used for selection of traffic control devices at each location.

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

PROPOSAL NO. 67, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 67, 1998 on January 28, February 11, and March 11, 1998. The proposal establishes a petty cash fund in the amount of \$2,500 for the Public Defender Agency. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 67, 1998, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 67, 1998, as amended, was retitled GENERAL ORDINANCE NO. 52, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1998

A GENERAL ORDINANCE to establish a petty cash fund in the amount of Two Thousand Five Hundred Dollars (\$2,500) to be placed in the custody of the Office Manager of the Public Defender Agency for the use of the Public Defender Agency.

WHEREAS, the Public Defender Agency desires to maintain a petty cash fund to pay small or emergency items of operating expenses.

WHEREAS, IC 36-1-8-3 requires permission of the fiscal body of a political subdivision to establish a petty cash fund which fund is to be established by a warrant drawn on the appropriate fund of the political subdivision in favor of the officer or employee who is the fund custodian in an amount determined by the fiscal body.

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

SECTION 1. Chapter 135, Article VII, of the Revised Code of the Consolidated City and County, be, and is hereby, amended by adding a new Division 2, to read as follows:

DIVISION 2. PUBLIC DEFENDER PETTY CASH FUND

Sec. 135-721.

Pursuant to IC 36-1-8-3, the City-County Council, as the fiscal body for the Consolidated City of Indianapolis and Marion County, Indiana, hereby establishes a petty cash fund in the amount of Two Thousand Five Hundred Dollars (\$2,500) to be placed in the custody of the Office Manager of the Public Defender Agency, which petty cash fund shall be used by the Public Defender Agency to pay small or emergency items of operating expenses.

**Sec. 135-722.**

The Two Thousand Five Hundred Dollars (\$2,500) for the petty cash fund established under Sec. 135-721 shall be paid by a warrant drawn on the appropriate fund in favor of the Office Manager of the Public Defender Agency and shall be returned to the appropriate fund when there is a change of custodian or when the fund is no longer needed.

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

PROPOSAL NO. 126, 1998. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 126, 1998 on March 11, 1998. The proposal amends the Guaranteed Energy Savings Contract with Johnson Controls, Inc. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Talley asked why the Parks Department headquarters property is excluded from this proposal. Councillor Shambaugh answered that there are possible future options to change the site of the Parks Department headquarters.

Councillor Gray stated that it should be clear that this proposal does not guarantee that the Parks Department can go ahead with any demolition plans for headquarters without first seeking further approval from the Council.

Councillor Talley asked if maintenance will continue on the building until the fate is decided and if a time frame had been set. Councillor Shambaugh stated that nothing has yet been determined and the fate of headquarters is still being negotiated, and options are still being sought. Deborah Normann, Director of the Parks Department, stated that the headquarters has become a liability to the department and that options are still being explored. She stated that there is a possible use for parking.

Councillor Gray stated that this property is in his district and he would appreciate being included in the ongoing discussions and negotiations. Ms. Normann apologized for excluding Councillor Gray and stated that she will notify him of future discussions.

Councillor Williams stated that she will abstain from voting due to a potential conflict of interest with her employer.

Councillor Shambaugh moved, seconded by Councillor Massie, for adoption. Proposal No. 126, 1998 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Borst, Schneider, Williams*

Proposal No. 126, 1998 was retitled GENERAL RESOLUTION NO. 2, 1998, and reads as follows:



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CITY-COUNTY GENERAL RESOLUTION NO. 2, 1998

A GENERAL RESOLUTION approving the award of a Guaranteed Energy Savings Contract between the Indianapolis Parks Department and Johnson Controls, Inc.

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

SECTION 1. Indiana Code 36-1-12.5-1, et seq. enables a political subdivision to award a contract to a vendor which will allow for the installation of certain energy conservation measures in publicly owned buildings, with the cost of these improvements to be paid for by the energy savings guaranteed to be achieved over the ensuing ten (10) year period. Pursuant to Indiana Code 36-1-12.5-5, the City-County Council must approve the award and amendment of a Guaranteed Energy Savings Contract under these provisions. This Resolution hereby approves the amendment of the Guaranteed Energy Savings Contract with Johnson Controls, Inc. to the total sum of \$1,162,363 for the improvements listed and apportioned as follows:

Indy Island .....	\$ 81,860
Krannert.....	348,138
Municipal Gardens .....	492,580
Brookside.....	67,135
Riverside .....	<u>172,650</u>
TOTAL .....	\$1,162,363

In amending this Contract, the Council specifically finds as follows:

(1) that the amount the Parks Department would spend on the energy conservation measures under the Contract and that are recommended in the report is not likely to exceed the amount to be saved in energy consumption costs and other operating costs over ten (10) years from the date of installation if the recommendations in the report were followed; and

(2) all payments, except obligations upon the termination of the Contract before the Contract expires, may be made to the public utility or qualified provider (whichever applies) in installments, not to exceed the lesser of ten (10) years or the average life of the energy conservation measures installed from the date of final installation; and

(3) the Contractor must provide a written guarantee that the savings in energy and operating costs due to the energy conservation measures are guaranteed to cover the costs of the payments for the measures, and the Contractor will reimburse the Parks Department for the difference between the guaranteed savings and the actual savings; and

(4) Contract payments made herein are subject to annual appropriation by the Council and do not constitute an indebtedness of the political subdivision within the meaning of a constitutional or statutory debt limitation.

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

PROPOSAL NO. 132, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 132, 1998 on March 11, 1998. The proposal authorizes the submission of the grant application to the State Department of Corrections in order to renew the Community Corrections Program for the 1998-99 fiscal year. By a 6-0 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. 132, 1998 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*6 NOT VOTING: Borst, Coonrod, Franklin, Golc, Gray, Williams*

Proposal No. 132, 1998 was retitled COUNCIL RESOLUTION NO. 45, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1998

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1998-1999, and approving the actions of the Marion County Community corrections Advisory Board with respect to the Board's 1998-1999 grant application to the Department of Corrections for the State of Indiana.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to IC 11-12-1; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1997-1998, and is currently operating a Community Corrections Program funded by this grant; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1998-1999, a copy of which is on file with the Clerk of the Council and incorporated herein by reference, and has submitted the grant application to the Department of Corrections for the State of Indiana for its consideration; now, therefore:

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

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the Department of Corrections for the State of Indiana are hereby approved, and the Board is authorized to proceed in accordance with IC 11-12-2 and the terms of the application.

SECTION 2. In the event that the Department of Corrections for the State of Indiana approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community Corrections Program for a period of one year, beginning on July 1, 1998.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by using revenues from any local tax regardless of source, except for some programs that the City-County Council wishes to fund. At any time that knowledge is received that the State or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Marion County Community Corrections Advisory Board or the County Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order, or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received or available.

SECTION 4. Notwithstanding IC 11-12-1-3, any agreement or other contract contemplating the lease, purchase, or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after approval of the City-County Council pursuant to IC 36-1-10-7 and IC 36-1-3.

SECTION 5. This resolution 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. 133 and 134, 1998 on March 4, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 133, 1998. The proposal approves an interlocal agreement between the City of Indianapolis and the Town of Speedway. PROPOSAL NO. 134, 1998. The proposal approves an interlocal agreement between the City of Indianapolis, City of Lawrence, and Fort Harrison Reuse Authority. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 133 and 134, 1998 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*8 NOT VOTING: Black, Borst, Bradford, Brents, Cockrum, Gilmer, Gray, Williams*

Proposal No. 133, 1998 was retitled GENERAL RESOLUTION NO. 3, 1998, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1998

A GENERAL RESOLUTION establishing the approval of the City-County Council of the City of Indianapolis and Marion County, Indiana for the City of Indianapolis to enter into an interlocal agreement with the Town of Speedway.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-7-4 the City-County Council shall approve an interlocal agreement authorized under IC 36-1-7-1, et seq.; and

WHEREAS, the City of Indianapolis and the Town of Speedway wish to enter into an interlocal agreement in which the City of Indianapolis and the Town of Speedway would jointly participate in the financing, designing, constructing and completion of a new traffic signal and associated roadway improvements at the intersection of 10th Street and Lynhurst Drive ("Interlocal Agreement"); and

WHEREAS, the City-County Council, having considered the Interlocal Agreement and being duly advised, approves said Interlocal Agreement; now, therefore:

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

SECTION 1. The City-County Council hereby approves the Interlocal Agreement between the City of Indianapolis and the Town of Speedway.

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

Proposal No. 134, 1998 was retitled GENERAL RESOLUTION NO. 4, 1998, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1998

A GENERAL RESOLUTION establishing the approval of the City-County Council of the City of Indianapolis and Marion County, Indiana for the City of Indianapolis to enter into an interlocal agreement with the City of Lawrence and the Fort Harrison Reuse Authority.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-7-4 the City-County Council shall approve an interlocal agreement authorized under IC 36-1-7-1, et seq.; and

WHEREAS, the City of Indianapolis, the City of Lawrence and the Fort Harrison Reuse Authority wish to enter into an interlocal agreement in which the City of Indianapolis and the City of Lawrence and the Fort Harrison Reuse Authority would jointly participate in the financing, designing, constructing and completion of 56th Street from Franklin Road to S.R. 67 ("Interlocal Agreement"); and

WHEREAS, the City-County Council, having considered the Interlocal Agreement and being duly advised, approves said Interlocal Agreement; now, therefore:

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

SECTION 1. The City-County Council hereby approves the Interlocal Agreement between the City of Lawrence and the Fort Harrison Reuse Authority.

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

PROPOSAL NO. 150, 1998. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 150, 1998 on February 24, 1998. The proposal amends the Rules of the Council by establishing administrative procedures for assignment and use of portable computers. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 150, 1998, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Borst, Gilmer, SerVaas, Williams*

Proposal No. 150, 1998, as amended, was retitled GENERAL ORDINANCE NO. 42, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1998

A PROPOSAL FOR A GENERAL ORDINANCE amending the Rules of the City-County Council, chapter 151 of the Revised Code of the Consolidated City and County establishing administrative procedures for assignment and use of portable computers.

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

SECTION 1. The Revised Code of the Consolidated City and County be and is hereby amended by adding a new Article VII in chapter 151 to read as follows:

ARTICLE VII. ADMINISTRATIVE PROCEDURES

Sec. 151-801. Use of assigned portable computers.

(a) Portable computers assigned to full time council employees shall be used only for official governmental purposes and personal records relating to the performance of governmental duties.

(b) Portable computers assigned to councillors and part-time staff shall be used predominately for governmental purposes and for personal records relating to the performance of governmental duties.

(c) Portable computers shall be used only by the person to which assigned, and others shall not be allowed to control or use governmental equipment.

(d) Any software installed on the computer which is not provided by the city shall only be installed as authorized by the licenses pertaining to such software. Any such software shall be removed prior to returning the computer to the city, upon which return the clerk will cause such software to be removed prior to re-issuance of the computer.

**Sec. 151-802. Conditions of assignment of personal computers.** The clerk shall assign computers in the priority stated in Sec. 151-801 and deliver them only upon the person executing an agreement that:

- (1) the computer and accessories belong to the city and will be returned upon termination of employment or term of office;
- (2) the person shall be personally liable for any loss, theft or damage to the computer or accessories and promptly notify the clerk of such occurrences;
- (3) no repairs shall be made or attempted without permission of the clerk; and
- (4) the computer shall be made available to the clerk during normal business hours at least quarterly for inspection and at other times as required by the clerk to assure compatibility of software system upgrades.

**Sec. 151-803. On-line services.** Any councillor or staff member, to whom a portable computer is assigned, may install on-line internet connection services on such computer, but all charges for such services and connections shall be paid by the user or subscriber. Such charges shall not be reimbursed by the council.

SECTION 2. Subject to the discretion of the President of the Council, the following procedures shall apply to assignment of, and training for, portable computers:

*Assignment of portable computers.* Based on availability, portable computers may be issued to councillors and staff based on the following standards of priority:

- (1) demonstrated need for use of computer capabilities for official business conducted outside the council offices;
- (2) demonstrated ability (or commitment to learn) sufficient applications to take advantage of portable computer uses;
- (3) seniority; and
- (4) leadership positions.

*Computer Training.* Any councillor or staff member shall, unless already proficient therein, take training in Windows 95, MS Word or Word Perfect, and Groupwise, or such comparable programs as may from time to time be used in the council offices. Such training shall be completed within sixty (60) days of assignment of the computer. Failure to complete such training shall be sufficient reason to require surrender of the computer. The clerk shall determine how and when such training shall be available. Only training approved in advance by the clerk shall be provided at council expense.

SECTION 3. 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. 136-144, 1998 on March 4, 1998. He asked for consent to vote on Proposal Nos. 136 and 137, 1998 together. Consent was given.

PROPOSAL NO. 136, 1998. The proposal, sponsored by Councillor Gray, authorizes a traffic signal at 57th Street and Georgetown Road (Districts 1, 9). PROPOSAL NO. 137, 1998. The proposal, sponsored by Councillor Golc, authorizes a traffic signal at the intersection of Airport Expressway Ramp and Lynhurst Drive (Districts 17, 19). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Gray, for adoption. Proposal Nos. 136 and 137, 1998 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Borst, Coonrod, Massie, Williams*

Proposal No. 136, 1998 was retitled GENERAL ORDINANCE NO. 43, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1998

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
09	57th St, Georgetown Rd	Georgetown Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
09	57th St, Georgetown Rd	None	Signal

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

Proposal No. 137, 1998 was retitled GENERAL ORDINANCE NO. 44, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1998

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>
30	Airport Exwy, Lynhurst Dr	None	All Way 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>
30	Airport Exwy EB Exit Ramp, Lynhurst Dr	None	Signal

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 138-144, 1998 together. Consent was given.

PROPOSAL NO. 138, 1998. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at 72nd Street and New Augusta Road and a weight limit restriction on various streets in the New Augusta area (District 1). PROPOSAL NO. 139, 1998. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Clayburn Drive and Oil Creek Drive (District 1). PROPOSAL NO. 140, 1998. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at 11th Street and Oakland Avenue (District 10). PROPOSAL NO. 141, 1998. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at 32nd Street and Forest Manor Avenue (District 10). PROPOSAL NO. 142, 1998. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at Gladstone Avenue and Nowland Avenue (District 10). PROPOSAL NO. 143, 1998. The proposal, sponsored by Councillor Shambaugh, authorizes a multi-way stop at Thrush Drive and Welch Drive (District 8). PROPOSAL NO. 144, 1998. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 44th Street and Evanston Avenue (District 6). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal Nos. 138-144, 1998 were adopted on the following roll call vote; viz:

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

0 NAYS:

6 NOT VOTING: *Black, Cockrum, Gilmer, Gray, Moores, SerVaas*

Proposal No. 138, 1998 was retitled GENERAL ORDINANCE NO. 45, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1998

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>
9	72nd St, New Augusta Rd	New Augusta Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9	72nd St, New Augusta Rd	None	All Way Stop

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS**

72nd Street, from  
Coffman Road to New Augusta Road

Pollard Street, from  
71st Street to 74th Street

Dobson Street, from  
71st Street to 74th Street

Purdy Street, from  
71st Street to 72nd Street

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

Proposal No. 139, 1998 was retitled GENERAL ORDINANCE NO. 46, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1998

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>
02	Clayburn Dr, Oil Creek Dr	Oil Creek Dr	Stop



March 16, 1998

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>
02	Clayburn Dr, Oil Creek Dr	None	All Way Stop

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

Proposal No. 140, 1998 was retitled GENERAL ORDINANCE NO. 47, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1998

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	11th St, Oakland Av	Oakland Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	11th St, Oakland Av	None	All Way Stop

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

Proposal No. 141, 1998 was retitled GENERAL ORDINANCE NO. 48, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1998

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>
19	32nd St, Forest Manor Rd	Forest Manor Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19	32nd St, Forest Manor Rd	None	All Way Stop

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

Proposal No. 142, 1998 was retitled GENERAL ORDINANCE NO. 49, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1998

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Gladstone Av, Nowland Av	Gladstone Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Gladstone Av, Nowland Av	None	All Way Stop

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

Proposal No. 143, 1998 was retitled GENERAL ORDINANCE NO. 50, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1998

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:

March 16, 1998

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>
16	Thrush Dr, Welch Dr	Welch Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16	Thrush Dr, Welch Dr	None	All Way Stop

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

Proposal No. 144, 1998 was retitled GENERAL ORDINANCE NO. 51, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1998

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	44th St, Evanston Av	Evanston Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	44th St, Evanston Av	None	All Way Stop

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

**ANNOUNCEMENTS AND ADJOURNMENT**

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

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Cockrum and Hinkle in memory of Kash Holliday ; and
- (2) Councillor Franklin in memory of J. Elmo Dowden and John C. Gilmer.

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 Kash Holliday, J. Elmo Dowden, and John C. Gilmer. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:20 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 16th day of March, 1998.

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)