

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

**REGULAR MEETINGS
MONDAY, JUNE 22, 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 7:10 p.m. on Monday, June 22, 1998, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Moriarty Adams introduced 15th District residents, Bruce Robertson and his son Lucas. Councillor O'Dell recognized Paul Browne, Superintendent of the Marion County Children's Guardian Home.

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, June 22, 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

June 9, 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* on Wednesday, June 10, 1998, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, June 11, 1998, a copy of a Notice of Public Hearing on Proposal Nos. 308, 360-366, and 368-370, 1998, said hearing to be held on Monday, June 22, 1998, at 7:00 p.m. in the City-County Building.

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

June 17, 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 Monday, June 22, 1998, a copy of a Legal Notice of General Ordinance No. 85, 1998.

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

June 12, 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. 58, 1998 - approves an increase of \$100,106 in the 1998 Budget of the Department of Parks and Recreation (City Cumulative Capital Development Fund) for the Pike Aquatic Center Project funded with a grant from the Indianapolis Parks Foundation

FISCAL ORDINANCE NO. 59, 1998 - approves an increase of \$16,500 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant to Reach for Youth for the Adolescent Sexual Adjustment Program funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 60, 1998 - approves an increase of \$48,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant to Child Advocates, Inc. funded by a grant from the Indiana Criminal Justice Institute

June 22, 1998

FISCAL ORDINANCE NO. 61, 1998 - approves an increase of \$54,740 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant to Reach for Youth for Teen Court funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 62, 1998 - approves an increase of \$57,300 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide third-year funding for a deputy prosecutor and partial salary for a victim witness advocate working with the Metro Gang Task Force through the Johnson County Prosecutor's Office funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 63, 1998 - approves an increase of \$2,589 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to extend the Adult Protective Services Supplemental Grant for an additional three months through September 30, 1998 funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 64, 1998 - approves an increase of \$23,895 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to support half the salary of a deputy prosecutor for a Safe Neighborhood Grant targeting the Meadows area funded by a grant from the U. S. Department of Housing and Urban Development

FISCAL ORDINANCE NO. 65, 1998 - approves an increase of \$445,100 in the 1998 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 66, 1998 - approves an increase of \$110,000 in the 1998 Budget of the Department of Public Works, Environmental Resources Management Division (Sanitation Liquid Waste Fund) to fund Northside Landfill closure remediation financed by fund balances

FISCAL ORDINANCE NO. 67, 1998 - approves an increase of \$454,081 in the 1998 Budget of the Department of Capital Asset Management, Finance and Administration Division (State Grants Fund) to fund additional public mass transit services financed by a state grant

FISCAL ORDINANCE NO. 68, 1998 - approves an increase of \$1,000,000 and a transfer of \$765,000 in the 1998 Budget of the Department of Capital Asset Management, Asset Management Division, to fund the summer street resurfacing program financed by an appropriation of \$1,000,000 from the Transportation General Fund, a transfer of \$432,932 in the Transportation General Fund, a transfer of \$332,069 in the Sanitation Liquid Waste Fund, and internal transfers within the Transportation General Fund and Sanitation Liquid Waste Fund

FISCAL ORDINANCE NO. 69, 1998 - approves an increase of \$37,500 in the 1998 Budget of the Cooperative Extension Service (County Grants Fund) to fund supplemental agency programs funded by grants from the Indianapolis Zoo, Indianapolis Parks Department, and Marion County Extension Programs, Inc.

FISCAL ORDINANCE NO. 70, 1998 - approves a transfer of \$378,000 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) to fund the design of Fall Creek Greenways Trail which links the Monon to Fort Harrison State Park and materials for construction of a nature trail from the Canal Towpath to the Indianapolis Museum of Art lake

FISCAL ORDINANCE NO. 71, 1998 - approves a transfer of \$250,250 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) to fund supervised playground activities in neighborhood parks and additional park maintenance

GENERAL ORDINANCE NO. 85, 1998 - adopts public policy regulating commercial uses of the public rights-of-way by amending the Revised Code to add Chapter 645 which establishes procedures for the registration and franchising of such uses

GENERAL ORDINANCE NO. 86, 1998 - amends Secs. 151-28 and 151-31 of the Revised Code concerning the standing committees

GENERAL ORDINANCE NO. 87, 1998 - authorizes a traffic signal at 56th Street and Reed Road (District 1)

GENERAL ORDINANCE NO. 88, 1998 - authorizes a traffic signal at 34th Street and Eagle Creek Parkway (District 18)

GENERAL ORDINANCE NO. 89, 1998 - authorizes multi-way stops for Creekside Woods subdivision (District 13)

GENERAL ORDINANCE NO. 90, 1998 - authorizes a multi-way stop at 40th Street and Sheridan Avenue (District 14)

GENERAL ORDINANCE NO. 91, 1998 - authorizes a multi-way stop at 42nd Street and Sheridan Avenue (District 14)

GENERAL ORDINANCE NO. 92, 1998 - authorizes a multi-way stop at Aberdeen Drive and Westdrum Road (District 18)

GENERAL ORDINANCE NO. 93, 1998 - authorizes a stop sign at Kingsbridge Street and Pleasant Run Parkway South Drive (District 15)

GENERAL ORDINANCE NO. 94, 1998 - authorizes a stop sign at Georgia Street and Olive Street (District 21)

GENERAL ORDINANCE NO. 95, 1998 - authorizes a one-way restriction for "40 & 8" Avenue, from Fort Wayne Avenue to Pennsylvania Street (Districts 1, 16)

GENERAL ORDINANCE NO. 96, 1998 - authorizes street parking control changes for 300 West Walnut Street (USS Indianapolis Memorial Way) (District 16)

GENERAL ORDINANCE NO. 97, 1998 - authorizes the removal of parking restrictions on Mount Street and Ohio Street (District 17)

GENERAL RESOLUTION NO. 7, 1998 - approves a public purpose grant in the amount of \$25,000 to the Riley Area Development Corporation for a public art sculpture that identifies the Massachusetts Avenue Arts District

SPECIAL RESOLUTION NO. 26, 1998 - recognizes Bill Polian, president of the Indianapolis Colts; Jim Mora, head coach of the Indianapolis Colts; and Peyton Manning, new quarterback for the Indianapolis Colts

SPECIAL RESOLUTION NO. 27, 1998 - recognizes the public service of Perry Township Fire Chief Bill Click

SPECIAL RESOLUTION NO. 28, 1998 - recognizes the Decatur Township Civic Council

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1998 - approves an increase of \$212,555 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to continue the Weed and Seed Program financed by a U.S. Department of Justice grant

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1998 - approves an increase of \$60,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to pay for juvenile programs sponsored by the Police Athletic League financed by federal grants

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1998 - approves an increase of \$70,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to pay for overtime related to a Safe Neighborhood Grant for the Meadows Area financed by federal grants

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of June 8, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 435, 1998. The proposal, sponsored by Councillors Borst, Hinkle, Boyd, and Schneider, recognizes the Indiana Pacers for an outstanding season. Councillor Borst read the proposal and presented representatives with a copy of the document and a Council pin. Donnie Walsh, General Manager for the Pacers, thanked the Council for the recognition and their support over the years. He also thanked the citizens of Indianapolis for their support of the team and for cheering them on to victory. Councillor Borst moved, seconded by Councillor Hinkle, for adoption. Proposal No. 435, 1998 was adopted by a unanimous voice vote.

Proposal No. 435, 1998 was retitled SPECIAL RESOLUTION NO. 29, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1998

A SPECIAL RESOLUTION recognizing the Indiana Pacers for an outstanding season.

WHEREAS, the Indiana Pacers professional basketball team offered Indianapolis citizens an extraordinary and exciting 1997-98 season; and

WHEREAS, after doing well in the regular season play, the Pacers and the city braced for the tough NBA playoffs; and

WHEREAS, after causing the Cleveland and New York teams to retire their jerseys and sneakers for the summer, next up was the five-time NBA Champion Chicago Bulls; and

WHEREAS, with each advance up the playoffs ladder the excitement in Indianapolis swelled throughout the city with more and more Pacers clothing and GO PACERS signs being displayed everywhere; and

WHEREAS, the playoffs produced electrifying moments of last-second winning shots, a seemingly stoic rock solid coach, a filled to capacity Market Square Arena, impeccable behavior and character by the team members, blue and gold everywhere in town and even crime reportedly slowed down during the thrilling games; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks the Indiana Pacers for their hard work, skill and dedication to make this such an exciting basketball season.

SECTION 2. The performance by these outstanding athletes helped Indianapolis and its people from all parts of the city to galvanize into a special button-popping pride in ourselves before a national audience.

SECTION 3. Thank you Pacers players, coaches, staff, owners and fans.

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. 432, 1998. The proposal, sponsored by Councillors Moores and Smith, recognizes the world champion Franklin Central High School Percussion Ensemble. Councillor Curry read the proposal and presented representatives with copies of the document and Council pins. Joseph Plahitko, Senior Drum Captain, thanked the Council for the recognition.

Councillor Curry moved, seconded by Councillor Gilmer, for adoption. Proposal No. 432, 1998 was adopted by a unanimous voice vote.

Proposal No. 432, 1998 was retitled SPECIAL RESOLUTION NO. 30, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1998

A SPECIAL RESOLUTION recognizing the world champion Franklin Central High School Percussion Ensemble.

WHEREAS, this Spring, the Franklin Central High School Percussion Ensemble not only won the Winter Guard International World Percussion Championship in Dayton, Ohio, but won it with a record breaking 98.25 score; and

WHEREAS, the Franklin Central Percussion Ensemble won every contest they entered this school year, and at the World Championships, Franklin Central was asked by the judges to perform an exhibition after the contest, and Director Daniel P. Fyffe was awarded a position on the WGI Percussion Advisory Board; and

WHEREAS, the musicians practiced constantly, and chose the piece "Finale" from Tchaikovsky's Fourth Symphony for their winning appearance; 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 outstanding Franklin Central High School Percussion Ensemble for earning the world championship title.

SECTION 2. The Council specifically acknowledges the world class band members: Travis Beck, Chris Johnson, Angela Quill, Jill Brezko, Joe Wilson, Jake Hayden, Erin Gilmer, Katie Holder, Jamie Utterback, Joe Williams, Laura Hobbs, Bill King, Kris Watts, Brent Hollar, Tony Lobdell, Jason Dillard, Mercedes Rader, Alex VanBergeijk, Alex Wilson; and Senior Drum Captain Joseph Plahitko.

SECTION 3. Also recognized are Ensemble Director Daniel P. Fyffe, supporters Richard and Debbie Wilson, Brian Wilson, Mike and Carol Johnson, John and Debbie Quill, Barbara Wilson, Debbie King, Jim Plahitko, Richard and Linda Utterback, Katie Weimer, Connie Hollar, Karen Hayden, Band Director Raymond G. Hauser, Jr., and all the supportive and encouraging parents, faculty, transportation department and school administration for this chance for the students to reach for their personal best.

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. 433, 1998. The proposal, sponsored by Councillors McClamroch and Hinkle, recognizes the Catholic Youth Organization. Councillor McClamroch read the proposal and presented representatives with copies of the document and Council pins. Jerry Ross, Assistant Director of the Catholic Youth Organization, thanked the Council for this recognition. Councillor McClamroch moved, seconded by Councillor Hinkle, for adoption. Proposal No. 433, 1998 was adopted by a unanimous voice vote.

Proposal No. 433, 1998 was retitled SPECIAL RESOLUTION NO. 31, 1998, and reads as follows:

June 22, 1998

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1998

A SPECIAL RESOLUTION recognizing the Catholic Youth Organization.

WHEREAS, The Catholic Youth Organization, or CYO, was established by Bishop Joseph E. Ritter during the Great Depression on February 1, 1939, to complement and supplement Roman Catholic families and schools in the care and education of youth; and

WHEREAS, the CYO, a part of the Archdiocese of Indianapolis, sponsors athletic, camping and leadership development programs for over 10,000 young people ages 7 to 18 each year in Central Indiana, along with nearly 4,000 adult volunteers; and

WHEREAS, the Catholic Youth Organization runs a dynamic youth athletic program in the sports of football, kickball, basketball, wrestling, volleyball, soccer, track & field, baseball and softball; and

WHEREAS, the CYO operates a camp in Brown County for 2,500 kids each summer, and sponsors an annual science fair, hobby show, music contest, bowling tournament, chess league competition and a one-act play contest for its youth; and

WHEREAS, the CYO was accepted as a charter member of the Community Chest (now the United Way) in 1952; 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 outstanding work with young people conducted by the Catholic Youth Organization since 1939.

SECTION 2. During those almost six decades the CYO has always stood for good, clean and wholesome recreation, socializing opportunities and extracurricular education for many thousands of young people of Indianapolis.

SECTION 3. The Council thanks all who are involved with the CYO which represents a very positive and constructive community asset for the children of Indianapolis.

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

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

Councillor McClamroch stated that Proposal Nos. 353-359, 1998 passed out of their respective committees with unanimous votes, and asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 353, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints Tina Bussell to the Citizens Police Complaint Board. PROPOSAL NO. 354, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints Bruce Laetsch to the Citizens Police Complaint Board. PROPOSAL NO. 355, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints Leah Orr to the Citizens Police Complaint Board. PROPOSAL NO. 356, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints Al Polin to the Citizens Police Complaint Board. PROPOSAL NO. 357, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints Wayne Volda to the Citizens Police Complaint Board. PROPOSAL NO. 358, 1998. The proposal, sponsored by Councillors Dowden and McClamroch, appoints William Powers to the Citizens Police Complaint Board. PROPOSAL NO. 359, 1998. The proposal, sponsored by Councillor Schneider, approves the Mayor's appointment of James J. Glynn as hearing officer to preside over the administrative adjudication of parking citations.

Councillor Black asked how many Democratic appointees are on the Citizens Police Complaint Board. Councillor McClamroch stated that the ordinance which was passed by this Council allows for two of the five Council appointees to be nominated by the minority party.

Councillor Gilmer asked if any of these positions are incumbent and should be noted as reappointments. Councillor McClamroch stated that the board is a newly constituted board and, while those serving may have served in the same capacity previously, their appointment to this particular board is new.

Councillor McClamroch moved, seconded by Councillor Dowden, for adoption. Proposal Nos. 353-359, 1998 were adopted by a unanimous voice vote.

Proposal No. 353, 1998 was retitled COUNCIL RESOLUTION NO. 55, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1998

A COUNCIL RESOLUTION appointing Tina Bussell to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Tina Bussell

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. 354, 1998 was retitled COUNCIL RESOLUTION NO. 56, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1998

A COUNCIL RESOLUTION appointing Bruce Laetsch to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Bruce Laetsch

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. 355, 1998 was retitled COUNCIL RESOLUTION NO. 57, 1998, and reads as follows:

June 22, 1998

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1998

A COUNCIL RESOLUTION appointing Leah Orr to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Leah Orr

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. 356, 1998 was retitled COUNCIL RESOLUTION NO. 58, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 1998

A COUNCIL RESOLUTION appointing Al Polin to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Al Polin

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. 357, 1998 was retitled COUNCIL RESOLUTION NO. 59, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 1998

A COUNCIL RESOLUTION appointing Wayne Volda to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Wayne Volda

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. 358, 1998 was retitled COUNCIL RESOLUTION NO. 60, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1998

A COUNCIL RESOLUTION appointing William Powers to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

William Powers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2000. 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. 359, 1998 was retitled COUNCIL RESOLUTION NO. 61, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 1998

A COUNCIL RESOLUTION approving the Mayor's appointment of James J. Glynn as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County for a term of one (1) year and until a successor is appointed, at the pleasure of the Mayor.

WHEREAS, pursuant to IC 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of James J. Glynn to serve as hearing officer at his pleasure for a term of one (1) year, now, therefore:

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

SECTION 1. James J. Glynn is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for a term of one (1) year.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 268, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$1,000,000 in the 1998 Budget of the Department of Public Works, Maintenance Operations Division (Maintenance Operations General Fund) for stormwater drainage planning"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 410, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$572,170 in the 1998 Budget of the Department of Administration, Indianapolis Fleet Services Division (Consolidated County Fund) to cover 1997 building rent, a consultant contract administrator, an upgrade to the fleet management system for Year 2000 compliance, and other shortages in Character 3"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 411, 1998. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$40,000 in the 1998 Budget of Voters Registration (County General Fund) to cover the printing costs of poll and challenge lists for the 1998 general election"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 412, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$584,130 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) to provide playgrounds in the Indianapolis Public Housing Developments financed by a Lilly Endowment Grant"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 413, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 8,760 square feet of office space at 129 East Market Street for the Marion County Public Defender Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 414, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 3,900 square feet of office space at 129 East Market Street for the Office of Prosecuting Attorney"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 415, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$102,992, in the 1998 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to continue the Adult Protective Services funded from the Older Americans Act through the Family and Social Services Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 416, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$5,000 in the 1998 Budgets of the County Auditor and the Marion County Superior Court, Probation Department (State and Federal Grants Fund) for overtime expenses incurred by probation employees participating in a task force program funded by grant from the U.S. Marshals Service"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 417, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$46,330 in the 1998 Budgets of the County Auditor and the Marion County Superior Court, Probation Department (County Grants Fund) to pay for probation officers who participate in K-9 and Probation Sweeps and Violent Offender projects to be funded by a grant from the City's Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 418, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$158,710 in the 1998 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase and refurbish police vehicles financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 419, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$300,000 in the 1998 Budget of the Department of Public Safety, Police Division (City Cumulative Capital

Development Fund) to refurbish police vehicles”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 420, 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 \$320,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police General Fund) to purchase police vehicles financed by fund balance”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 421, 1998. Introduced by Councillors McClamroch and SerVaas. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Ray Battey to the Marion County Community Corrections Advisory Board”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 422, 1998. Introduced by Councillors Coughenour and Gilmer. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$2,500,000 in the 1998 Budget of the Department of Capital Asset Management (Advanced Wastewater Treatment Facilities Reserve Fund) to fund repair and improvements at the City’s Advanced Wastewater Treatment Facilities financed by fund balances”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 423, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal at Crawfordsville Road and Kohl's Driveway located at 5700 West (District 8)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 424, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Eagle Dale area (District 8)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 425, 1998. Introduced by Councillor Williams. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Jefferson Avenue and Nowland Avenue (Districts 10, 22)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 426, 1998. Introduced by Councillor Williams. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at 23rd Street and Park Avenue (District 22)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 427, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes multi-way stops at Delray Drive/Wild Horse Lane and at Prairie Depot/Wild Horse Lane (District 18)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 428, 1998. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at 46th Street

and Eagle Creek Parkway (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 429, 1998. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for Concord Village West and to convert St. Clair Street to two-way traffic (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 430, 1998. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of parking meters on St. Joseph Street between Meridian Street and Scioto Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 431, 1998. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions at 1202 East Troy Avenue at Emma Donnan Middle School, #72 (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 434, 1998. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$24,000 in the 1998 Budget of the Forensic Services Agency (County General Fund) to cover unexpected expenses in Character 3"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 439, 1998. Introduced by Councillors Hinkle and McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Ray Wallace to the Metropolitan Board of Zoning Appeals II"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 436-438, 1998 on June 18, 1998.

PROPOSAL NO. 436, 1998. The proposal is a special ordinance for Indianapolis Water Company authorizing the issuance of \$10,000,000 in City of Indianapolis Economic Development Water Facilities Refunding Revenue Bonds, Series 1998 to refund the previously issued 7-7/8% City of Indianapolis, Indiana Economic Development Water Facilities Revenue Bonds, Series 1989 (Indianapolis Water Company Project) (District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Massie, for adoption. Proposal No. 436, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Gray, SerVaas, Williams

1 ABSENT: Moores

Proposal No. 436, 1998 was retitled SPECIAL ORDINANCE NO. 5, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1998

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$10,000,000 City of Indianapolis, Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1998 (Indianapolis Water Company 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 construction of new well fields consisting of wells, connecting lines, treatment facilities, pumps and transmission and reinforcement mains (the "Project") and pay certain costs of issuance, the City of Indianapolis, Indiana (the "Issuer") has previously issued, sold and delivered its City of Indianapolis, Indiana 7-7/8% Economic Development Revenue Water Facilities Revenue Bonds, Series 1989 (Indianapolis Water Company Project) (the "Prior Bonds"), pursuant to an Indenture of Trust between the Issuer and National City Bank of Indiana, as successor trustee and has previously made a loan (the "Prior Loan") of the proceeds thereof to Indianapolis Water Company (the "Company") pursuant to a Loan Agreement 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 refinance the Project by issuing its \$10,000,000 City of Indianapolis, Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1998 (Indianapolis Water Company Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 17, 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 July 15, 1998 by and between the Issuer and National City Bank of Indiana, as trustee (the "Trustee") which will be sold to Edward D. Jones & Co., L.P. (the "Underwriter") pursuant to a Bond Purchase Agreement (the "Purchase Contract") dated the date of the sale of the Bonds among the Issuer, the Company, IWC Resources Corporation (the "Guarantor") and the Underwriter in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of July 15, 1998 between the Issuer and the Company, which shall be secured by a Guaranty Agreement dated as of July 15, 1998 between the Guarantor and the Trustee (the "Guaranty Agreement"); and

June 22, 1998

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, Guaranty Agreement, Purchase Contract, Official Statement relating to the Bonds (the "Official Statement"), 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 refinancing 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 aggregate principal amount not to exceed \$10,000,000 for the purpose of procuring funds to loan to the Company in order to refinance 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 Official Statement 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 Official Statement is hereby authorized to certify to the Underwriter that the information in the Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Official Statement.

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 Official Statement 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. 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. 437, 1998. The proposal is a special ordinance for Green Leaf Limited authorizing the issuance of bonds in an aggregate principal amount not to exceed \$2,595,000 to refund the previously issued City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1986 (GNMA Collateralized FHA-Insured Mortgage Loan - Bethany Independent Care Project) located at 3530 Shelby Street (District 20). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 437, 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, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
1 ABSENT: Moores

Proposal No. 437, 1998 was retitled SPECIAL ORDINANCE NO. 6, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1998

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$2,305,000 City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds, Series 1998A and its \$290,000 City of Indianapolis, Indiana Taxable Economic Development Revenue Refunding Bonds, Series 1998B (GNMA Collateralized -- Bethany Independent Care 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 and financing of a 130-bed, residential facility known as Bethany Village located at 3530 South Shelby Street, Indianapolis, Marion County, Indiana on approximately a .991 acre of land (the "Project") and pay certain costs of issuance, the City of Indianapolis, Indiana (the Issuer) has previously issued, sold and delivered its \$2,734,015 aggregate principal amount of its City of Indianapolis, Indiana Economic Development

June 22, 1998

Revenue Bonds, Series 1986 (GNMA Collateralized -- Bethany Independent Care Project) (the "Prior Bonds"), pursuant to a Trust Indenture dated August 20, 1986 between the Issuer and PNC Bank National Association, successor trustee (the "Prior Trustee") and has previously made a loan (the "Prior Loan") of the proceeds thereof to Green Leaf Limited, an Ohio limited partnership (the "Company") pursuant to a Financing Agreement dated August 20, 1986 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 refinance the Project by issuing its \$2,305,000 City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds, Series 1998A (the "Series 1998A Bonds") and its \$290,000 City of Indianapolis, Indiana Taxable Economic Development Revenue Refunding Bonds, Series 1998B (GNMA Collateralized -- Bethany Independent Care 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 adopted a Resolution on June 17, 1998, 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 a Trust Indenture (the "Indenture") dated as of June 1, 1998 by and between the Issuer and PNC Bank, National Association, as trustee (the "Trustee") which will be sold to Newman and Associates, Inc. (the "Underwriter") pursuant to a Bond Purchase Agreement (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 Financing Agreement (the "Loan Agreement") dated as of June 1, 1998 among the Trustee, WMF/Huntoon, Paige Associates Limited, the Issuer and the Company for the purpose of refinancing the cost of the Project; 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, Tax Regulatory Agreement dated as of June 1, 1998 among the Company, the Issuer and the Trustee, the Purchase Contract, Preliminary Official Statement relating to the Bonds, 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 \$2,305,000 and its Series 1998B Bonds in the principal amount not to exceed \$290,000 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 Preliminary Official Statement 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 Preliminary Official Statement are hereby authorized to certify to the Underwriter that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

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 Official Statement 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. 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. 438, 1998. The proposal is an inducement resolution for Camby Housing Partners, LLC in an amount not to exceed \$5,368,000 to be used for the acquisition and construction of a 120-unit residential apartment located at Camby Road and State Road 67

(Kentucky Avenue) (Camby Crossing Project) (District 19). By a 5-0-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst deferred to Councillor Cockrum who had some concerns regarding this project in his district at the committee meeting. Councillor Cockrum stated that he met with the developer after the meeting and his concerns were resolved to his satisfaction. He now supports the project.

Councillor Talley stated that he toured one of the developer's existing complexes in his district and it is a first-class operation.

Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 438, 1998 was adopted on the following roll call vote; viz:

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

1 NAY: Gray

1 NOT VOTING: Brents

1 ABSENT: Moores

Proposal No. 438, 1998 was retitled SPECIAL RESOLUTION NO. 32, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1998

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development revenue bonds.

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

WHEREAS, Camby Housing Partners, LLP (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities referred to as the development and construction of a 120-unit apartment complex consisting of ten two-story buildings and a clubhouse located on a 12.5 parcel of land at Camby Road and State Road 67 (Kentucky Avenue), Indianapolis, Indiana (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the development and construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the development and construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$5,368,000 under the Act to be privately placed or publicly offered with credit enhancement for the development and construction of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the development and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the development and construction of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December, 1998, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and rehabilitation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

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

PROPOSAL NO. 440, 1998 and PROPOSAL NOS. 441-447, 1998. Introduced by Councillor Hinkle. Proposal No. 440, 1998 and Proposal Nos. 441-447, 1998 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 19, 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. 135-142, 1998, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 135, 1998.

98-Z-88

7530 SOUTH U. S. 31 (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

TRACEY YEAGER requests a rezoning of 0.5 acre, being in the D-2 District, to the C-1 classification to provide for office uses including offices for an attorney and an accountant.

REZONING ORDINANCE NO. 136, 1998.

97-Z-114

1031-1033 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1.00 acre, being in the I-3-U District, to the C-5 classification to provide for general commercial uses, such as automobile repair, grocery store and a club room facility.

REZONING ORDINANCE NO. 137, 1998.

98-Z-24 (AMENDED)

5840 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

DANNY W. & ELIZABETH LEE, by Theodore Giesecking, requests a rezoning of 28.792 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 138, 1998.

98-Z-110

6445 EAST 30th STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

EASTSIDE DEVELOPMENT COMPANY, LLC, by Mary E. Solada, requests a rezoning of 10.5 acres, being in the I-2-S District, to the I-3-S classification to provide for an asphalt paving operation.

REZONING ORDINANCE NO. 139, 1998.

98-Z-111

3606 AND 3624 SOUTH KEYSTONE AVENUE (approximate addresses), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

HURRICANE FOOD, INC., by Mary E. Solada, requests a rezoning of 1.1 acre, being in the D-4 District, to the C-4 classification to provide for a fast-food restaurant.

REZONING ORDINANCE NO. 140, 1998.

98-Z-116(a)

1038 SOUTH KEALING AVENUE a/k/a 1030 SOUTH EWING AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

JOHN RABOLD, by Philip A. Nicley, requests a rezoning of 1.54 acres, being in the D-5 District, to the I-3-U classification to provide for medium industrial urban uses.

REZONING ORDINANCE NO. 141, 1998.

98-Z-116(b)

3703 PROSPECT STREET a/k/a 1030 SOUTH EWING AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

JOHN RABOLD, by Philip A. Nicley, requests a rezoning of 0.28 acre, being in the D-5 District, to the I-2-U classification to provide for light industrial urban uses.

REZONING ORDINANCE NO. 142, 1998.

98-Z-117

709 NORTH KETCHAM STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.10 acre, being in the I-2-U District, to the D-5 classification to provide for residential uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 263, 1998. The proposal approves an increase of \$24,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant for Big Sisters funded by a grant from the Indiana Criminal Justice Institute. Councillor Dowden moved, seconded by Councillor Schneider, to postpone Proposal No. 263, 1998 until July 20, 1998. Proposal No. 263, 1998 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 308, 362-365, 368-370, and 212, 1998 on May 20, 1998.

PROPOSAL NO. 308, 1998. The proposal, sponsored by Councillors Dowden and Talley, approves an increase of \$214,635 in the 1998 Budget of the County Sheriff (County General Fund) to hire an additional ten road patrol/deputies for six months 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 7:49 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 308, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Bradford, Franklin

1 ABSENT: Moores

Proposal No. 308, 1998 was retitled FISCAL ORDINANCE NO. 72, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Two Hundred Fourteen Thousand Six Hundred Thirty-five Dollars (\$214,635) in the County General Fund for purposes of the County Sheriff and 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,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 and County Auditor to hire an additional ten road patrol/deputies for six months finance by fund balance

SECTION 2. The sum of Two Hundred Fourteen Thousand Six Hundred Thirty-five Dollars (\$214,635) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - fringes	34,635
<u>COUNTY SHERIFF</u>	
1. Personal Services	138,540
2. Supplies	31,460
4. Capital Outlay	<u>10,000</u>
TOTAL INCREASE	214,635

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>214,635</u>
TOTAL REDUCTION	214,635

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

Councillor Dowden asked for consent to vote on Proposal Nos. 362-365 and 368-370, 1998 together. Consent was given.

PROPOSAL NO. 362, 1998. The proposal approves an increase of \$12,000 in the 1998 Budget of the Prosecuting Attorney (County Grants Fund) to provide the second year funding for the Children's Waiting Room financed by a grant from the Indianapolis Bar Association. PROPOSAL NO. 363, 1998. The proposal approves an increase of \$3,000 in the 1998 Budget of the Prosecuting Attorney (County Grants Fund) to cover expenses relating to production of a video on how law enforcement can work effectively with neighborhoods to eliminate drug trafficking, such production costs to be financed by grants from three local companies. PROPOSAL NO. 364, 1998. The proposal approves an increase of \$3,000 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to amend a grant to Breaking Free, Inc. funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 365, 1998. The proposal approves an increase of \$30,000 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant to Project Impact financed by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 368, 1998. The proposal approves an increase of \$434,431 in the 1998 Budget of Community Corrections (Home Detention User Fee Fund) to cover salaries, services, home detention equipment, and supplies for fiscal year 1998/1999 financed by Home Detention User Fees. PROPOSAL NO. 369, 1998. The proposal approves an increase of \$1,404,815 in the 1998 Budget of Community Corrections (State and Federal Grants Fund) to cover operational expenses for fiscal year 1998/1999 funded by a grant from the Department of Corrections. PROPOSAL NO. 370, 1998. The proposal approves an increase of \$187,026 in the 1998 Budget for Community Corrections to fund the Juvenile Intensive Probation Services Program funded by a grant from the Department of Corrections. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Talley stated that he asked a question at the committee hearing regarding the City's liability with respect to Proposal No. 362, 1998, which has still not been answered. He added that the Project Impact program detailed in Proposal No. 365, 1998 is a great program and he supports it fully.

Councillor Boyd asked if the \$3,000 noted in Proposal No. 363, 1998 is the total cost of the video production. Councillor Dowden stated that it is. Councillor Boyd asked who will produce the video. Councillor Dowden stated that Channel 16 will produce it. Councillor Boyd asked when the video will be made available to Councillors for review. Councillor Dowden stated that the video is in production now, and should be available soon.

The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal Nos. 362-365 and 368-370, 1998 were adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Franklin, Schneider

1 ABSENT: Moores

Proposal No. 362, 1998 was retitled FISCAL ORDINANCE NO. 73, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twelve Thousand dollars (\$12,000) in the County Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to provide the second year funding for the Children's Waiting Room for fiscal year 1998/1999.

SECTION 2. The sum of Twelve Thousand Dollars (\$12,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GRANTS FUND</u>
3. Other Services and Charges	<u>12,000</u>
TOTAL INCREASE	12,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>12,000</u>
TOTAL REDUCTION	12,000

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

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

Proposal No. 363, 1998 was retitled FISCAL ORDINANCE NO. 74, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Three Thousand Dollars (\$3,000) in the County Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to cover expenses relating to production of a video on how law enforcement can work effectively with neighborhoods to eliminate drug trafficking for fiscal year 1998/1999.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	2,000
3. Other Services and Charges	<u>1,000</u>
TOTAL INCREASE	3,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered County Grants Fund	<u>3,000</u>
TOTAL REDUCTION	3,000

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

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

Proposal No. 364, 1998 was retitled FISCAL ORDINANCE NO. 75, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Three Thousand Dollars (\$3,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to amend a grant to Breaking Free, Inc. funded by a grant from the Indiana Criminal Justice Institute

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

SECTION 3. The following additional appropriation is hereby approved:

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

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>3,000</u>
TOTAL REDUCTION	3,000

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

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

Proposal No. 365, 1998 was retitled FISCAL ORDINANCE NO. 76, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Thirty Thousand Dollars (\$30,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division 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(cc) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division to fund a grant to Project Impact funded by a grant from the Indiana Criminal Justice Institute

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>30,000</u>
TOTAL INCREASE	30,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the

appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Proposal No. 368, 1998 was retitled FISCAL ORDINANCE NO. 77, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Four Hundred Thirty-four Thousand, Four Hundred Thirty-one Dollars (\$434,431) in the Home Detention User Fee Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b),(z) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Community Corrections to fund salaries, services, home detention equipment, and supplies for the fiscal year 1998/1999.

SECTION 2. The sum of Four Hundred Thirty-four Thousand Four Hundred Thirty-one Hundred Dollars (\$434,431) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services – Fringes	52,258
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	197,563
2. Supplies	12,500
3. Other Services and Charges	154,610
4. Capital Outlay	<u>17,500</u>
Total Increase	434,431

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>434,431</u>
TOTAL REDUCTION	434,431

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. 369, 1998 was retitled FISCAL ORDINANCE NO. 78, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Million Four Hundred Four Thousand Eight Hundred Fifteen Dollars (\$1,404,815) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b),(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 Community Corrections to cover operational expenses for fiscal year 1998/1999.

SECTION 2. The sum of One Million Four Hundred Four Thousand Eight Hundred Fifteen Dollars (\$1,404,815) 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	73,425
<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	331,276
2. Supplies	19,475
3. Other Services and Charges	950,639
4. Capital Outlay	<u>30,000</u>
TOTAL INCREASE	1,404,815

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>1,404,815</u>
TOTAL REDUCTION	1,404,815

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. 370, 1998 was retitled FISCAL ORDINANCE NO. 79, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Eighty Seven Thousand Twenty-six Dollars (\$187,026) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b),(z) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Community Corrections to fund a juvenile court intensive probation services program for fiscal year 1998/1999.

SECTION 2. The sum of One Hundred Eighty Seven Thousand Twenty Six Dollars (\$187,026) 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	35,532
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	142,126
3. Other Services and Charges	<u>9,368</u>
TOTAL INCREASE	187,026

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>187,026</u>
TOTAL REDUCTION	187,026

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

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 212, 1998. The proposal, sponsored by Councillor McClamroch, appoints Al Polin to the Marion County Community Corrections Advisory Board. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 212, 1998 and moved its passage on May 13, 1998. He stated that the appointment was tabled due to Mr. Polin's pending appointment to the Citizens Police Complaint Board. In light of Mr. Polin's appointment this evening to that board, and because such an appointment precludes him from serving on the Corrections Advisory Board, Councillor Dowden moved to strike Proposal No. 212, 1998. Councillor Boyd seconded the motion, and Proposal No. 212, 1998 was stricken by a unanimous voice vote.

Councillor Franklin asked for consent to address Proposal No. 371, 1998, which is under Pending Proposals on tonight's agenda. The President ruled that the proposal may be brought up for discussion following the completion of the proposals under public hearing.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 338, 1998. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 338, 1998 on May 28, June 11, and June 16, 1998. The proposal, sponsored by Councilor Curry, approves the issuance of bonds of the Sanitary District in an amount not to

exceed \$65,000,000. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked for an explanation of a sanitary siphon. Dennis Neidigh, Director of the Department of Capital Asset Management, stated that it is simply a sewer that goes under the street and comes up on the other side and operates like a siphon.

Councillor Borst asked if the State Revolving Fund is a bond that will have to be paid back. Councillor Coughenour stated that it is loan from federal monies provided by the State. Councillor Borst asked why the additional bonds are needed. Councillor Coughenour stated the bonds are used to pay for the revolving fund and make up the balance. She stated that the third column of figures is the portion the private sector will end up paying for their sewers under the Barrett law program.

Councillor Schneider stated that he does not understand the State Revolving Fund and if in essence the State is simply loaning the County this money. Ann Lathrop, City Controller stated that the State is loaning the money to the County and payback does not begin for 18 months. The fund will be paid back over a 30 year period, and the County will only repay the amount they actually use. Councillor Schneider asked what the interest rate is for these bonds. Ms. Lathrop stated that the interest rate is 3 ½ %. Councillor Schneider asked if there are any strings attached to these revolving fund dollars. Mr. Neidigh stated that the projects this money will be used for are qualified by the State and the Environmental Protection Agency, and each project listed has been approved for the program. Other than project qualification, no other strings are attached to these dollars.

Councillor Talley asked why the substantial savings due to the privatization of the sanitation systems that the Mayor claims cannot be used instead of these bonds. Ms. Lathrop stated that this savings was looked at and the Sanitation General Fund cannot fund this amount. Councillor Talley stated that he is for the projects, but does not understand why some of this savings cannot be used.

Councillor Williams stated that these bonds will not solve the entire problem, but that it is a good first step to solving a problem that has been in existence for a long time.

The President called for public testimony at 8:25 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Curry, for adoption. Proposal No. 338, 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, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Moores

Proposal No. 338, 1998 was retitled GENERAL RESOLUTION NO. 8, 1998, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 1998

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Sanitary District Revenue Bonds", in an original aggregate principal amount not to exceed Sixty-Five Million Dollars (\$65,000,000).

WHEREAS, on October 1, 1997, the Board of Capital Asset Management and Public Works of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Sanitary District of the City of Indianapolis, Indiana (the "Sanitary District"), adopted the Declaratory Resolution declaring that it is necessary for the public health and welfare of the persons residing within the Sanitary District, and will be of public utility and benefit to undertake the projects specified in Exhibit A, attached hereto (the "Projects").

WHEREAS, on October 15, 1997, after notice and a public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution (the "Prior Confirmatory Resolution"), and on November 19, 1997, after notice and public hearing thereon, the Board amended and restated the Prior Confirmatory Resolution to provide that the estimated total costs shall not exceed One Hundred Ten Million Dollars (\$110,000,000), including all expenses necessary and incidental thereto and including all expenses in connection with or on account of the issuance of bonds therefor; and

WHEREAS, the Board has adopted a bond resolution authorizing the issuance of revenue bonds of the Sanitary District to be designated as "City of Indianapolis, Indiana, Sanitary District Revenue Bonds of 1998", to be issued in one or more series or issues, in the original aggregate principal amount not to exceed Sixty-Five Million Dollars (\$65,000,000), for the purpose of procuring funds to apply to the costs of the Projects; and

WHEREAS, the Board has requested the approval of the City-County Council of the issuance of said revenue bonds pursuant to IC 36-3-5-8 and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the issuance of revenue bonds of the Sanitary District, to be designated as "City of Indianapolis, Indiana, Sanitary District Revenue Bonds of 1998", in an original aggregate principal amount not to exceed Sixty-Five Million Dollars (\$65,000,000) to be issued in one or more series or issues.

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

PROPOSAL NO. 360, 1998. The proposal, sponsored by Councillor Curry, approves an increase of \$106,484 in the 1998 Budget of the Cable Communications Agency (Consolidated County Fund) to replace aging and/or unsupported video production equipment financed by a Public/Educational/Government (PEG) Grant. Councillor Schneider moved, seconded by Councillor Shambaugh, to postpone Proposal No. 360, 1998 until July 20, 1998. Proposal No. 360, 1998 was postponed by a unanimous voice vote.

PROPOSAL NO. 361, 1998. The proposal approves an increase of \$21,420 in the 1998 Budget of the Department of Parks and Recreation (Park General Fund) to provide inclusive day camps to youth with disabilities financed by a local grant from United Cerebral Palsy of Central Indiana. Councillor Shambaugh moved, seconded by Councillor Golc, to postpone Proposal No. 361, 1998 until July 20, 1998. Proposal No. 361, 1998 was postponed by a unanimous voice vote.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 302, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 302, 1998 on June 1, 1998, and it was postponed in Council on June 8, 1998 due to some legal issues with its counterpart ordinance. The proposal adopts minor/technical amendments regarding wireless communication facilities to five zoning ordinances (Dwelling Districts, Commercial, Central Business District, Special Districts, and Industrial) (98-AO-4). Councillor Hinkle moved, seconded by Councillor Coughenour, to postpone Proposal No. 302, 1998 until July 20, 1998. Proposal No. 302, 1998 was postponed by a unanimous voice vote.

PROPOSAL NO. 341, 1998. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 341, 1998 on May 28, 1998. The proposal was postponed in Council on June 8, 1998 because the appointee wanted to be present for its passage. The proposal approves appointment of Gregory Zoeller as Administrative Hearing Officer. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Boyd stated that he is opposed to this appointment, not because of Mr. Zoeller's qualifications, but because of the public position he already holds and a possible conflict of interest.

Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 341, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 341, 1998 was retitled COUNCIL RESOLUTION NO. 62, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 1998

A COUNCIL RESOLUTION approving the Mayor's appointment of Gregory F. Zoeller as hearing officer to preside over the administrative adjudication of environmental violations on behalf of the Consolidated City of Indianapolis and Marion County until a successor is appointed, at the pleasure of the Mayor.

WHEREAS, pursuant to Section 103-503 of the Revised Code of the Consolidated City and County, Indiana, a mayoral appointment of a hearing officer to preside over the administrative adjudication of environmental violations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Gregory F. Zoeller to serve as hearing officer at his pleasure, now, therefore:

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

SECTION 1. Gregory F. Zoeller is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor.

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

The President called on Councillor Franklin to address his concerns regarding Proposal No. 371, 1998. Councillor Franklin deferred to co-sponsor of the proposal, Councillor O'Dell. Councillor O'Dell stated that due to legal advertising issues, Proposal No. 371, 1998 cannot be voted on this evening. He stated that Proposal No. 371, 1998 is simply the implementation proposal to monies that were promised to the Marion County Children's Guardian Home in an ordinance passed in March of 1998. He added that many private donations are pending the Council's approval of this proposal, and a meeting is taking place tomorrow where an indication of the Council's intent on this proposal is needed.

Councillor Coughenour stated that she would like to see a show of hands as to how many Councillors are in favor of this proposal and intend to vote in favor of it. She stated that this will help Paul Browne, the superintendent of the Guardian's Home, to provide these additional private investors with a comfort level. The President stated that a show of hands may be displayed, but that there is no official vote, and situations may arise that would cause Councillors to feel differently about the proposal at the next meeting. Councillor Coughenour stated that these monies were promised to the Guardian's Home, and she feels it is wrong to go back on that commitment and use the monies for other projects.

The President requested a show of hands of those in favor of Proposal No. 371, 1998. Councillor Coughenour counted 19 hands in favor of the proposal. Councillor O'Dell stated that he will write a letter expressing this support in hopes that it will aid Mr. Browne in funding discussions tomorrow.

Councillor Boyd asked if this letter will satisfy the need. Councillor O'Dell stated that he does not know for sure, and that he hopes it will, but that legally nothing further can be done at this time.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 301, 1998. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 301, 1998 on June 9, 1998. The proposal amends sections of the Code concerning the purchasing division of the Office of City Controller. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Massie, for adoption. Proposal No. 301, 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, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Moores

Proposal No. 301, 1998 was retitled GENERAL ORDINANCE NO. 99, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1998

PROPOSAL FOR A GENERAL ORDINANCE to specify that the purchasing division of the office of city controller shall be the purchasing agency for purposes of IC 5-22, and further to comply with the requirements of IC 5-22-15-21.

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

SECTION 1. Section 202-204 of the "Revised Code of the Consolidated City and County" regarding the purchasing division of the office of city controller, hereby is amended by the deletion of the language which is stricken-through and by the addition of the language which is underscored, to read as follows:

Sec. 202-204. Purchasing division; promotion of supplies manufactured in the United States.

(a) The office of the city controller shall include a purchasing division, which shall be the purchasing agency, as that term is defined and used in IC 5-22, for the city and county, and for each of their respective departments, divisions, offices and agencies.

(b) ~~¶~~The powers and duties of ~~which~~ the purchasing division shall include:

- (1) Acting as the agent in obtaining materials, supplies, equipment or contractual services, other than personal services, for city and county departments, divisions, ~~or county~~ offices and agencies. Any such department, division, ~~or office or agency~~ shall requisition such materials, supplies, equipment or services from the purchasing agent who shall, upon determining that appropriations are available for such purposes, acquire the items requisitioned in accordance with public purchase law. All contracts of purchase shall be made in the name of the city department or division or county office and be subject to the approval of the department, division, ~~or office or agency~~;
- (2) Establishing such purchasing and contractual procedures as may best be suited to obtain the greatest economic value to the city and the county;
- (3) Where bidding and publication of notice are required by law, preparing specifications and notice to bidders and seeing that the required notices are published;
- (4) Ensuring that adequate funds are available prior to making necessary purchases and acquisitions are within the limits of the budget appropriations of the department, division, office or body in need of the material;
- (5) Acting as the agent of any executive department to sell or exchange any personal property ordered to be sold by a city department or division or county office in accordance with procedures prescribed by law; and,
- (6) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.

(c) To promote the purchase of supplies manufactured in the United States as set forth in IC 5-22-15-21, the city and county, and each of their respective departments, divisions, offices and agencies, shall specify and purchase supplies manufactured in the United States unless the purchasing agent first determines that any of the following circumstances apply:

- (1) The supplies are not manufactured in the United States in reasonably available quantities;
- (2) The price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured outside the United States;
- (3) The quality of the supplies is substantially less than the quality of comparably priced available supplies manufactured outside the United States; or,
- (4) The purchase of supplies manufactured in the United States is not in the public interest.

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

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

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

PROPOSAL NO. 320, 1998. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 320, 1998 on June 9, 1998. The proposal, sponsored by Councillor Borst, concerns the sale of tickets for the National Collegiate Athletic Association Division 1 Men's Basketball Championship. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst stated that passing this proposal will help the City's bid to host the Final Four Championship. He added that 90% of the people scalping tickets are from out of town.

Councillor Gilmer asked if this applies to the first and second round games, as well. Councillor Curry stated that it is simply for the Final Four.

Councillor Golc asked if this policy will eventually extend to Colts and Pacers games, and to the Indianapolis 500 Race. Councillor Borst stated that he has no intentions to go further with the forbidding of scalping at sports events, and that eliminating scalping from this particular event will simply help the City's bid to host the games.

Councillor Borst acknowledged Barney Levensgood, executive director of the Indianapolis Convention Center and Visitors Bureau, who is present in support of this proposal.

Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 320, 1998, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 320, 1998, as amended, was retitled GENERAL ORDINANCE NO. 100, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1998

A GENERAL ORDINANCE concerning the sale of tickets for the National Collegiate Athletic Association Division 1 Men's Basketball Championship.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be and is hereby amended to add new Sections 407-107, 407-108, and 407-109 to read as follows:

Sec. 407-107. Findings.

The city-county council finds that:

(a) The taxpayers of the City of Indianapolis have constructed and maintained facilities for the exhibition of sporting events;

(b) In the event that the demand for seating at any particular exhibition in such facilities exceeds the available supply, the resulting premium price that can be demanded for resale of tickets encourages persons to purchase such tickets solely for the purpose of resale and not with the intent to use the facilities;

(c) It is anticipated that demand for seating at the National Collegiate Athletic Association (the "NCAA") Division 1 Men's Basketball Championship (the "Final Four") will greatly exceed the available supply for the games and therefore increase the resulting premium price that can be demanded for resale of such Final Four tickets solely for the purpose of resale and not with the intent to use the facilities;

(d) Purchasing such Final Four tickets with the intent of resale at a premium price is discouraged by the NCAA and host cities are requested to assist the NCAA in controlling such activity;

(e) The only effective means to discourage the purchasing of such Final Four tickets with the intent of resale is to prohibit the resale of such Final Four tickets at premium prices;

(f) The resale of such Final Four tickets at a premium price should be prohibited.

Sec. 407-108. Sale of tickets of the National Collegiate Athletic Association Division 1 Men's Basketball Championship at the RCA Dome.

(a) Tickets to the Final Four, to be held at a publicly owned facility, shall have printed thereon the retail price thereof.

(b) It shall be unlawful for any person to sell or offer for sale any such Final Four ticket at a price greater than the retail price printed thereon, exclusive of reasonable fees or service charges for sale of such tickets not to exceed ten dollars (\$10.00) per ticket at regular ticket outlets.

Sec. 407-109. Resale of tickets to the National Collegiate Athletic Association Division 1 Men's Basketball Championship at the RCA Dome.

It shall be unlawful for any person to resell or offer to resell for profit any Final Four ticket. "Profit" shall not include a maximum fee or service charge of ten dollars (\$10.00) per ticket.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 372, 1998. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 372, 1998 on June 9, 1998. The proposal approves a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of purchasing equipment to be used to expand field production and post-production capability of educational access programmers of the franchised cable systems in Marion County. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 372, 1998 was adopted on the following roll call vote; viz:

June 22, 1998

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

0 NAYS:

1 ABSENT: Moores

Proposal No. 372, 1998 was retitled SPECIAL RESOLUTION NO. 33, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1998

A SPECIAL RESOLUTION approving a public purpose grant to Indiana University in the amount of \$65,000.00 for the purpose of purchasing equipment to be used to expand field production and post-production capability of educational access programmers of the franchised cable systems in Marion County, Indiana.

WHEREAS, both of the cable television operators holding nonexclusive franchises to provide cable services within the Consolidated City (City) are required by the terms of their franchise agreements to contribute certain amounts to provide for the capital costs of Public, Educational, or Governmental Access Facilities (PEG Facilities); and

WHEREAS, the Office of the City Controller holds such amounts in the Cable Franchise PEG Grants Fund (Fund), and the Indianapolis-Marion County Cable Franchise Board (Board) recommends Fund expenditures, which are authorized by the City-County Council (Council) as public purpose grants; and

WHEREAS, on _____, 1998, the Board approved Indiana University's request for \$65,000.00 from the Fund to purchase equipment to be used by Indiana University, in cooperation with the Educational Television Cooperative (ETC), a voluntary consortium of area school districts, colleges, and universities, to expand field production and post-production capability of educational access programmers of the franchised cable systems in Marion County, Indiana; and

WHEREAS, pursuant to the Board's recommendation, the Council proposes to authorize a public purpose grant in the amount of \$65,000.00 to Indiana University for the purpose of purchasing equipment to be used to expand field production and post-production capability of educational access programmers of the franchised cable systems in Marion County, Indiana (the Grant); and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the Council; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

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

SECTION 1. The Grant in the amount of \$65,000.00 to Indiana University for the purpose of purchasing equipment to be used to expand field production and post production capability of educational access programmers of the franchised cable systems in Marion County, Indiana, is hereby approved. A list of the equipment authorized for purchase will be kept in the City-County Council's permanent files and available for public inspection.

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

PROPOSAL NO. 374, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 374, 1998 on June 15, 1998. The proposal, sponsored by Councillors Hinkle, Moriarty Adams, Tilford, and Talley, provides for a 500 foot distance separation between substance abuse treatment facilities and certain protected districts (98-AO-5). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Detective Irene Conder of the Indianapolis Police Department gave a brief report on the effect of methadone clinics on neighborhoods and the dangers associated with such clinics. She asked for the Council's support in limiting the locations of these clinics in Marion County.

Councillor Hinkle moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 374, 1998 was adopted on the following roll call vote; viz:

23 YEAS: Black, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

5 NOT VOTING: Borst, Boyd, Gilmer, Gray, O'Dell

1 ABSENT: Moores

Proposal No. 374, 1998 was retitled GENERAL ORDINANCE NO. 101, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1998

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 98-AO-5

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

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

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

SECTION I. The Commercial Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part I2 (adopted under Metropolitan Development Commission docket numbers 69-AO-1, 75-AO-3, 76-AO-3, 79-AO-4, 80-AO-1, 92-AO-4, 94-AO-7, 96-AO-1, 96-AO-4, 97-AO-5, and 97-AO-13), as amended, pursuant to IC 36-7-4 be further amended to read as follows:

A. That Section 2.01, A, 4 be amended by adding the underscored language and deleting the stricken language as follows:

4. HEALTH SERVICES, (excluding Hospitals, ~~or~~ Plasma Centers, or Substance Abuse Treatment Facility), Including the following:

Blood Donor Stations
Convalescent or Nursing Homes
Immediate Care Facilities
Intermediate Care Facilities
Medical or Dental Laboratories
Nursing Care (Skilled) Facilities

Offices and Clinics of:
Chiropractors
Dentists
Optometrists
Osteopathic Physicians
Outpatient Clinics
Physicians (MD)
Podiatrists

B. That Section 2.04, A, be amended by adding a new number 18 (as underscored), and renumbering the subsequent permitted uses:

18. Substance Abuse Treatment Facility, subject to the provisions of Section 2.04, B, 1, f, and i.

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

- f. Any indoor commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall: not be located within five hundred (500) feet, measured in any direction, of any:

- (1) substance abuse treatment facility;
(2) tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores).

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

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

i. Substance Abuse Treatment Facility shall:

- (1) not be located within five hundred (500) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District (see Section 2.16, Diagram J); and,
(2) not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.

- ii. Accessory uses or structures shall have a total gross floor area which does not exceed twenty-five percent (25%) of the total gross floor area of the primary structures or uses.

E. That Section 2.05, B, 1, f, be amended by adding the underscored language and deleting the stricken language as follows:

- f. Any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall: not be located within five hundred (500) feet, measured in any direction, of any:

- (1) substance abuse treatment facility;
(2) tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores).

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

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

i. Substance Abuse Treatment Facilities shall:

- (1) not be located within five hundred (500) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District (see Section 2.16, Diagram J); and,
 - (2) not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.
- ij. Accessory uses or structures shall have a total gross floor area which does not exceed twenty-five percent (25%) of the total gross floor area of the primary structures or uses.
- jk. Any lighting used to illuminate an outdoor area where any service or activity is conducted shall comply with the requirements of Section 2.10, H. Further, it shall be prohibited to:
- (1) light an area by the use of stringers or unshielded incandescent lamps in which the entire lamp envelope is designed to function as a light emitter; and,
 - (2) make use of attention attracting lighting from any apparatus of any type similar to that used by emergency vehicles.

G. That Section 2.07, B, 1, i, be amended by adding the underscored language and deleting the stricken language as follows:

- i. Any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall: not be located within five hundred (500) feet, measured in any direction, of any:
 - (1) substance abuse treatment facility;
 - (2) tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores).

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

H. That Section 2.07, B, 1, be amended by adding the underscored language and deleting the stricken language as follows:

1. Substance Abuse Treatment Facilities shall:
 - (1) not be located within five hundred (500) feet, measured in any direction, of a Protected District. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the Protected District (see Section 2.16, Diagram J); and,
 - (2) not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.

lm. Accessory uses or structures shall:

- (1) have a total gross floor area which does not exceed fifty percent (50%) of the total gross floor area of the primary uses or structures; and,
- (2) not erect or maintain exterior signs announcing the accessory uses or structures.

1. That Section 2.16, B, be amended by adding a new number 118 (as underscored below), and renumbering the subsequent Definitions of the Section:

118. Substance abuse treatment facility. A facility, the primary function of which is to administer or dispense a schedule II controlled substance [as listed under IC 35-48-2-6 (b) or (c)] to a narcotic addict for maintenance or detoxification treatment.

SECTION 2. The Special Districts Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, (adopted under Metropolitan Development Commission docket numbers 94-AO-3, 95-AO-3, 95-AO-12, 96-AO-1, 96-AO-4, and 97-AO-13), as amended, pursuant to IC 36-7-4 be further amended to read as follows:

A. That Section 2.02, A, 2 be amended by adding the underscored language and deleting the stricken language as follows:

2. *Permitted Hospital District Two (HD-2) uses:* All uses permitted within the HD-2 District shall be subject to the Commission's approval, as included within a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.
 - a. Apartments, dormitories, and other higher-intensity, permanent or transient residential structures.
 - b. Commercial parking lots and garages.
 - c. Medical laboratories; surgical and medical supply firms; hospital and sickroom equipment sales and rental.
 - d. Nursing, convalescent and retirement homes.
 - e. Offices for physicians, dentists, and other professions dealing with public health (excluding Substance Abuse Treatment Facilities, which are permitted in the C-4, C-5 and C-7 Commercial Zoning Districts, as regulated by the Commercial Zoning Ordinance of Marion County, Indiana, 69-AO-1, as amended.)
 - f. Pharmacies; florists; card and gift shops; restaurants; uniform clothing stores; and similar convenience and specialty sales and service businesses.
 - g. Other similar hospital-related or oriented uses.

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

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

PROPOSAL NO. 375, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 375, 1998 on June 15, 1998. The proposal expresses support of the Indianapolis Housing Agency's HOPE VI applications to the United States Department of Housing and Urban Development. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 375, 1998 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, O'Dell, SerVaas, Short, Smith, Talley, Tilford, Williams

5 NAYS: Bradford, Dowden, Gilmer, Schneider, Shambaugh

1 NOT VOTING: Moriarty Adams

1 ABSENT: Moores

Proposal No. 375, 1998 was retitled COUNCIL RESOLUTION NO. 63, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 1998

A COUNCIL RESOLUTION expressing support of the Indianapolis Housing Agency's HOPE VI applications to the United States Department of Housing and Urban Development.

WHEREAS, the City-County Council for the Consolidated City of Indianapolis and Marion County, Indiana, recognizes the need to replace and renovate its distressed housing stock; and

WHEREAS, the Indianapolis Housing Agency has prepared HOPE VI grant applications to the United States Department of Housing and Urban Development that addresses the concerns of many residents of the Consolidated City of Indianapolis and Marion County; and

WHEREAS, the purpose of the HOPE VI program is to enable revitalization and transformation of the physical sites of severely depressed public housing developments, help people along the housing continuum toward home ownership and improve the social dynamics of low income residents; and

WHEREAS, the Indianapolis Housing Agency has gained support from the affected communities, neighborhoods and service providers for this grant; 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, recognizing the local housing needs, and that the Council has placed the main responsibility of housing in the jurisdiction of the Indianapolis Housing Agency, hereby supports the submission of the United States Department of Housing and Urban Development HOPE VI grant applications by the Indianapolis Housing Agency.

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

The President convened the Police Special Service District Council

SPECIAL SERVICE DISTRICT COUNCILS

**POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 366, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 366, 1998 on June 10, 1998. The proposal approves an increase of \$201,616 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to enhance police personnel in the Weed and Seed site areas in the West District financed by a federal grant. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Dowden moved to make a technical amendment to change all references to the fund from Police Service District Fund to Federal Grants Fund. Councillor Smith seconded the motion, and Proposal No. 366, 1998 was amended by a unanimous voice vote.

Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 366, 1998, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 366, 1998, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1998, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1998

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1998 (Police Special Service District Fiscal Ordinance No. 2, 1997) appropriating an additional Two Hundred One Thousand Six Hundred Sixteen Dollars (\$201,616) 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 POLICE SPECIAL SERVICE DISTRICT 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, Police Special Service District 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 to enhance police personnel in the Weed and Seed site areas in the West District.

SECTION 2. The sum of Two Hundred One Thousand Six Hundred Sixteen Dollars (\$201,616) 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>
1. Personal Services	110,943
2. Supplies	6,900
3. Other Services and Charges	60,674
4. Capital Outlay	<u>23,099</u>
TOTAL INCREASE	201,616

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>201,616</u>
TOTAL REDUCTION	201,616

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.

NEW BUSINESS
RECONSIDERATION OF PROPOSAL NOS. 316, 317, AND 318, 1998

Councillor Dowden reported that Proposal Nos. 316, 317, and 318, 1998 were adopted as Police Special Service District Fiscal Ordinance Nos. 2, 3, and 4, 1998 on June 8, 1998. PROPOSAL NO. 316, 1998. The proposal approves an increase of \$212,555 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to continue the Weed and Seed Program financed by a U.S. Department of Justice grant. PROPOSAL NO. 317, 1998. The proposal approves an increase of \$60,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to pay for juvenile programs sponsored by the Police Athletic League financed by federal grants. PROPOSAL NO. 318, 1998. The proposal approves an increase of \$70,000 in the 1998 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to pay for overtime related to a Safe Neighborhood Grant for the Meadows Area financed by federal grants.

Councillor Dowden made the following motion:

Mr. President:

I have been advised that there was an inadvertent error on Proposal Nos. 316, 317, and 318, 1998 adopted at our last meeting, and the appropriations were listed as from the Police Special Service District Fund rather from the Federal Grants Funds.

I therefore move that Proposals numbered 316, 317, and 318, 1998 be reconsidered, by changing all references to "Police Special Service District Fund" to "Federal Grants Funds," and adopted as amended.

Councillor Smith seconded the motion, and Proposal Nos. 316, 317, and 318, 1998 were reconsidered, amended, and adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Franklin, Moriarty Adams, Short

1 ABSENT: Moores

Proposal No. 316, 1998, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1998, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1998

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1998 (Police Special Service District Fiscal Ordinance No. 2, 1997) appropriating an additional Two Hundred Twelve Thousand Five Hundred Fifty-five Dollars (\$212,555) 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 POLICE SPECIAL SERVICE DISTRICT 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, Police Special Service District 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 continuing of the Weed and Seed Program.

SECTION 2. The sum of Two Hundred Twelve Thousand Five Hundred Fifty-five Dollars (\$212,555) 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>	
3. Other Services and Charges	<u>212,555</u>
TOTAL INCREASE	212,555

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>212,555</u>
TOTAL REDUCTION	212,555

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

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

Proposal No. 317, 1998, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1998, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1998

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1998 (Police Special Service District Fiscal Ordinance No. 2, 1997) appropriating an additional Sixty Thousand Dollars (\$60,000) 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 POLICE SPECIAL SERVICE DISTRICT 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, Police Special Service District 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 juvenile programs sponsored by the Police Athletic League.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) 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 PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
I. Personal Services	1,015
3. Other Services and Charges	<u>58,985</u>
TOTAL INCREASE	60,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>60,000</u>
TOTAL REDUCTION	60,000

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.

Proposal No. 318, 1998, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1998, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1998

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1998 (Police Special Service District Fiscal Ordinance No. 2, 1997) appropriating an additional Seventy Thousand Dollars (\$70,000) 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 POLICE SPECIAL SERVICE DISTRICT 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, Police Special Service District 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 overtime related to a Safe Neighborhood Grant.

SECTION 2. The sum of Seventy Thousand Dollars (\$70,000) 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 PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
I. Personal Services	<u>70,000</u>
TOTAL INCREASE	70,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>70,000</u>
TOTAL REDUCTION	70,000

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.

NEW BUSINESS

Councillor McClamroch stated that one of the Council appointees made at the last meeting to the Marion County Salary Recommendations Panel was disqualified, and he moved that Robert W. Lazard, C.P.A. be appointed to the panel. Councillor Talley seconded the motion, and Mr. Lazard was appointed by a unanimous voice vote.

The President stated that a Year 2000 Sub-Committee will be appointed to address the issues surrounding the Year 2000 project status. He stated that Councillor Curry will serve as Chairman of the Committee, with Councillor Massie serving as Vice-Chairman. Councillors Dowden, Moores, and Cockrum will also serve on the Committee. He asked Minority Leader Boyd to provide him with two appointees from the Minority Caucus to also serve on the Committee. Councillor Boyd agreed to do so.

Councillor Boyd stated that in response to a letter from Ron Reinking of Building Authority, he does not feel any expense should be incurred to re-pad the Council chairs.

Councillor Williams stated that she has not received any information regarding the financial ramifications of layoffs at the Naval Air Warfare Center as she requested at the last meeting, and asked if a briefing will be forthcoming. Councillor Borst stated that a six-page letter was mailed to all Councillors addressing this issue and she should have one in her mail. Councillor Williams stated that she did not receive one. Councillor Borst stated that he will get Councillor Williams a copy of the letter.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Smith in memory of Karl H. Rohrberg ; and
- (2) Councillor Gilmer in memory of Georgia Hollingsworth.

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 Karl H. Rohrberg and Georgia Hollingsworth. 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 9:42 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 22nd day of June, 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)