

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

**REGULAR MEETINGS
MONDAY, AUGUST 3, 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, August 3, 1998, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Moriarty Adams introduced Mike VanMeter, a student at Indiana University-Purdue University Indianapolis. Councillor Golc asked all those who attended the Parks Committee meeting this evening to stand and be recognized.

OFFICIAL COMMUNICATIONS

Budget Messages: Honorable Stephen Goldsmith, Mayor

Members of the Council, I am pleased to deliver my seventh budget address to the Council. We will do this briefly and invite the deliberations, criticism and suggestions of the Council throughout the budget process.

When I came before the Council in 1992, it was an interesting time in Indianapolis history. We had had good bipartisan leadership in this city for a long time, yet we found ourselves with a growth rate that was stagnant, an unemployment rate of six percent, a budget with expenditures that exceeded revenues by \$20 million, the highest downtown office vacancy rate in the Midwest, and more than 20 tax increases in the eighties.

The Chamber of Commerce had delivered to this body and to the newly-elected mayor a request for a billion dollars in infrastructure investment. Given increasing tax burdens on our citizens, no one was eager to fund that infrastructure investment with additional tax increases. Between 1985 and 1990, the county option income tax rate went from .002 to .007. If the rate of increase had continued, it would have reached the maximum levy of .01 five years ago. Instead, the Council froze the rate in 1990, and it has remained at .007 since.

Instead of raising taxes, we began the process of competitive bidding for city services. As we bid out more than 80 city services and saved almost \$400 million, we have invested those dollars in public safety and infrastructure. This effort has resulted in an almost 50 percent reduction of non-public safety employees since 1991. The ratio of non-public safety employees to public safety employees has changed dramatically since 1991. For the first time in Indianapolis history, almost two out of every three city employees will be a public safety worker in 1999.

In large part this effort was driven by the fact that in the old City of Indianapolis – the taxing district of IPS, IFD and IPD – it was impossible to tax citizens any more than they already were. We had pushed businesses out of the downtown and Center Township neighborhoods, and we had made it difficult for senior citizens and new home-buyers to own their own homes because of high property taxes.

From 1992 to 1998, we see a dramatically different picture. Instead of steep increases in property taxes and county option income taxes, we see decreases on the part of most of the municipal agencies that come before this council. The City of Indianapolis reduced its tax rate by three percent. Health and Hospital reduced its tax rate by six and a half percent. Public transportation reduced its tax rate by almost three percent. The only two taxing districts that have raised their tax rates are the two that do not respond to this Council, the libraries and the schools. Not coincidentally, as we have pressured agencies to reduce their property tax rates, we have seen growth in the City of Indianapolis that we did not see when property taxes were continuing to increase.

As tax rates increased in the eighties, the budget of the City of Indianapolis also increased dramatically. If that increase had continued at the same rate, today we would have been presenting to you a budget of \$584 million. Instead, we are presenting a budget of \$441 million. We have brought spending under control, moving money from other areas into public safety while holding the line on taxes. This year the budget is up a little bit – although still below what it was in 1992 – because of dollars in the current budget that will fund police and fire and AFSCME collective bargaining contracts.

The other issue we had to address was the billion dollar infrastructure deficit. The budget that we are presenting today will continue the effort to rebuild the city of Indianapolis – its sidewalks, bridges, streets, and sewers. Since 1992, we have invested over \$850 million in infrastructure – a record investment in road resurfacing, sidewalks and curbs. Almost \$80 million has been invested in parks – including rebuilding hundreds of playgrounds, creating greenways, and improving golf courses, community centers, and swimming pools. A third of our fire houses have been rebuilt.

August 3, 1998

These are dramatic improvements. We will ask for another hundred million dollars to be invested in infrastructure next year.

At the same time we have done all this, the percentage of the property tax rate used for debt has gone down by 18 percent. We have done these things without cutting city services, and we continue to measure performance. We invite the scrutiny of the council to the 250 performance measures contained in the budget to make sure that not only are we spending the right amount of money, but we are purchasing the right amount of results as well.

In 1992, the City of Indianapolis spent \$140 million on public safety. In the budget we are presenting tonight, we are asking permission to spend \$181 million on public safety. Public safety spending is up by \$41 million dollars from the budget presented in 1992. This budget, if you approve it, will fund 2 out of every 3 city workers for public safety. When we are finished, we will have more police officers per resident than any time we can find on record. Today we have 141 more officers on the street than we did in 1992. Additionally, by almost any measure, we have the best fire department in the country – one that is better trained, better equipped, better staffed, and better prepared than at any time in the recent history of the city of Indianapolis. We are pleased to continue moving money into public safety, which is the core of business of government.

This effort can lead to a reasonable set of questions. Do we have enough Sheriff's deputies? Do we have enough firefighters? Do we have enough police officers? Everyone in the room tonight would like to have more staff in each of those categories. The question is how we get there.

Tonight's budget will ask for permission to spend every cent that comes into the police and fire budget, every dollar we raise we are asking permission to spend. That will allow us to maintain the policing level that we have presented tonight. Should we or could we spend more money? I say the answer to that is yes.

If this council would like to join with us in asking the state Budget Agency* for permission to move money from our budget surplus into public safety, we would be delighted to join in doing that. We have been told previously that we cannot move budget surpluses from one taxing district into another. We would be delighted if we could move from our \$90 million budget surplus \$5 to \$10 million into public safety. If the Council sees fit, we will join with the Council to request permission to do so from the state budget agency and the state house.

If that fails, we will ask the legislature for permission to do the same. As this Council knows, although we have consolidated government in the city of Indianapolis, we have several dozen different taxing districts. In the past, we have been prevented from moving money from one taxing district to another. We will be pleased to address that issue again.

Should we have more police officers and deputies? Again I think the answer is yes. We will work with the Sheriff and the County Auditor to find creative ways to do that within this budget. We are spending every dollar that is raised in the police and the fire districts for more officers and better fire fighters as well.

Today in Indianapolis, the economy is better than it has every been, with the lowest unemployment rate we have ever had and 150,000 jobs created and retained in the last five years alone. Still, a number of families and neighborhoods are struggling. They want better police services, better streets and sidewalks, better schools, better health services and better transit. It is our responsibility together to deliver a better quality of life for our citizens, whether they be suburban or urban. We need to do that without imposing upon them higher tax rates, because higher tax rates force income and wealth across the county line and preclude people from owning their own homes or developing their own businesses.

We understand that this process is one in which the legislature critiques the budget presented by the administrative branch of government, and we look forward to your insight and your suggestions on behalf of your constituents. I appreciate the interest and deliberations of the Council. Thank you very much.

* "Budget Agency" clarified to "Board of Tax Commissioners" in subsequent Council committee hearings.

Budget Messages: Honorable John von Arx, Auditor

Mr. President, members of the City-County Council, and citizens of Marion County,

Budgets are transitory. They are THE financial plan for a government to continue providing services for one fiscal year. A 'good budget' will make conditions better for the government and its people for that year. A 'better budget' is one that makes lasting improvements, continuing into the foreseeable future.

Although this will be my last budget presentation, it was my goal to provide you with a superior budget, one that highlighted many of our jointly accomplished financial objectives that continue on into the foreseeable future. Although I don't want to suggest all gloom and doom, this budget was perhaps the most difficult of my two terms as Auditor. It was prepared in the shadow of two somewhat sudden and uncontrollable fiscal issues, the year 2000 information technology dilemma (otherwise known as the Y2K issue), and massive unfunded state mandates placed on Marion County. The City and County portion of the millennium bug is now at a staggering \$13.5 million. The County now owes the state \$15 million for our share of male and female juveniles committed to state correctional facilities. These bills are growing over \$1 million each year. Solutions to these two problems, regardless of how incredible they are, must be found.

The good news is that this budget includes NO increase in the property tax rate and NO increase in the County Option Income Tax rate. I can report that the 1999 Budget is balanced relative to ongoing operations with revenues of \$149,331,347 being slightly higher than expenses of \$147,838,001. However, this statement does not take into account funding of the Y2K project that I mentioned which will be presented in a separate ordinance that is being introduced this evening. Also not taken into account is the increase in invoices that the County has received for sending post adjudicated delinquents to state facilities. Currently the County expects to be billed at least \$5 million more in 1999 than budgeted.

1999 salary increases are funded at 3% for County Employees. The Fraternal Order of Police contract is not yet settled, so the increase for Merit Deputies will need to be amended into the budget at a later date. In addition, the Marion County Salary Review Panel recommendations for non-elected agency heads are included in the text of the budget and will have to be considered by each governing board as well as this Council.

The Marion County Sheriff's Department is in the second successful year of operation of Jail II. You will find that the budget reflects a planned increase in appropriations to add another 48 beds to the current 264 beds being rented from CCA. There is also an increase in the contract with Wishard Hospital to pay the hospitalization expenses of the Marion County Jail Inmates. However, on July 21, 1998, Judge Dillin issued an order terminating all population caps and prison release orders at the Marion County Jail. This action followed a filing by Marion County with the United States 7th Circuit Court of Appeals to ask that Judge Dillin be required to rule on Marion County's motion which had been pending in his court for over one year. This is a great victory for Sheriff Cottey and for all public safety advocates and it significantly impacts Marion County's ability to deal with jail overcrowding issues.

The Marion County Public Defender Agency has increased office space outside the City-County Building, costing \$81,000.00, in order to provide better public service. They have also funded an additional \$294,000.00 in salaries by reducing Character 03 expenses, which assists in their efforts to meet state standards. The state mandates a certain number of public defenders, controls the number and types of caseload they can bear and how much to pay the Chief Public Defender. By complying with their standards, the County can receive reimbursement for up to 40% of expenses.

The Superior Court has increased their County General Fund budget by an additional \$50,000.00 to pay jury expenses. The council increased the 1998 budget by \$450,000.00 earlier this year. The Jury Pay Fund, which was created by state statute to pay jury expenses from increased court fees, is

August 3, 1998

being budgeted for the first time in the amount of \$150,000.00. It is important to note that the state recently enacted law increasing the amount we must pay for jurors and increase the amounts on traffic tickets to pay the expenses. However, the expense for jurors increased approximately \$300,000.00 in the last six months of 1997 while revenues increase by \$40,000. The County General Fund provided the difference. In addition, the Judges salary bill cost Marion County \$450,000.00 in revenues which were transferred to the state in excess of transferred expenses. For those people around the state of Indiana that think that Marion County gets whatever it wants from the state house, think again. Total these two issues up and that is a \$1 million a year shortfall.

The County and Township Assessor's Reassessment Fund Budget is increased approximately \$300,000.00 over the 1998 budget as these agencies are preparing for the upcoming reassessment. Remember that the reassessment process will likely be different than we have known it in the past. We are still waiting on the final decisions of our lawmakers.

The cost of the post-adjudicated delinquent commitment to the County General fund continues to increase at an alarming rate. In 1990, Marion County's expenditures for paying half of the state's daily cost was approximately \$2 million for the year. In 1998, those bills will likely exceed \$10 million. As you know, this is not a new problem. You will likely recall this issue in my budget speeches from 1996, 1997, and 1998, as well as in the overviews presented to various committees during those budget sessions. Unfortunately, the matter only continues to worsen. In an effort to try to address this matter, I organized a task force of stakeholders and experts that include the City, County, Juvenile Court, Community Corrections, the State Department of Correction, the Hudson Institute and other juvenile justice experts. Although some progress has been made, it is coming at too slow a pace to adequately stem the tide of this fiscal crisis, more aggressive and immediate measures will have to be undertaken in order to avoid drastic fiscal and social difficulties down the road. As I mentioned earlier, it is my plan to have a report issued in the next 30 days offering recommendations.

Regarding the Y2K issue, the county's share of the total cost is now estimated to be \$7.7 million, which is not a final number. Unfortunately, the majority of this expense will have to come from our County General Fund Balance. As you know, we all have worked hard to see our fund balance rise to its current level, and it is distressing to be saddled with no other legitimate financing mechanism to solve this problem. As mentioned, this is an unavoidable issue, and most everyone in both the public and private sector must do the same. While the impact is staggering, we are charged with figuring out how to best take our lumps along with everyone else, and try to move on with business.

While I have felt concern for Marion County's financial situation and well being while preparing this budget, I also felt a strong sense of accomplishment and success for Marion County. Looking back over the eight and one half years I have served as Auditor, Marion County has been a survivor despite the odds.

(We faced budget reductions in 1992 and were able to maintain our AAA bond rating. (We have watched and felt the reduction of the Welfare Tax Rate and Levy. In fact, between 1994 and 1998, the combined tax rates for the County and Welfare Funds have dropped 30.61cents and the budget as presented does not increase the tax rates for the County Funds for 1999. The reduction in the Welfare rates are due to the efforts initiated by the Auditor's Office to find more appropriate placements for CHINS and redirect welfare dollars to family preservation rather than out of state placements. The initiative also focused on dramatically increasing federal reimbursements for CHINS cases. (We pursued and ensured the creation of the Indiana Children's Trust Fund and Kid First license plate which fund family preservation efforts statewide and in turn provide proactivity rather than reactivity to child welfare. This was the first of its kind and has set the example for other states who are following suit to allow nontax revenues to funds the safety and welfare of their children. (We pursued the creation of an heirloom birth certificate, which generates revenue into the Infant Mortality Fund, another nontax way to generate revenue. (We sold the certificates of need for the Marion County Healthcare Center to the Health and Hospital Corporation so that the facility could be closed while still providing an excellent setting for the nursing home patients. We then closed the facility which saves the County over \$1.5 million per year in operating expenses. We sold the surrounding property to put it back on the tax rolls. And we sold the facilities to a

group that is making a over \$1 million in improvements as well as working to bring in water and sewer connections to the area which will enhance development.

We have faced jail overcrowding in Marion County head on with an exemplary effort in cooperation and coordination among elected officials and their agencies. The Sheriff, Prosecutor, Chief Public Defender, Marion County Judges, the City-County Council, and myself as well as many others all persevered in creatively working to fight and reduce jail overcrowding in Marion County. Today we have the Marion County Jail II managed by CCA as well as a clear road to allow double bunking if necessary.

I review this with you to illustrate that these accomplishments were once viewed as seemingly insurmountable tasks. Yet with determination, collaboration, and an unbending commitment to carry out the people's will, all three branches of Marion County Government rose to the occasion. I have no doubt that this great tradition will continue on to address the issues we will discuss during these next 2 months and ultimately on in to the 21st Century.

It has been a challenge and a pleasure to serve as Marion County Auditor. I thank you for your many years of challenge, cooperation, and understanding. With that, I respectfully submit the 1999 Marion County Budget.

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, August 3, 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

July 21, 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, July 22, 1998, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, July 23, 1998, a copy of a Notice of Public Hearing on Proposal Nos. 367, 449-466, and 499, 1998, said hearing to be held on Monday, August 3, 1998, at 7:00 p.m. in the City-County Building.

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

July 24, 1998

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

Ladies and Gentlemen:

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. 80, 1998 - 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

August 3, 1998

FISCAL ORDINANCE NO 81, 1998 - 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

FISCAL ORDINANCE NO. 82, 1998 - 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

FISCAL ORDINANCE NO. 83, 1998 - approves an increase of \$1,000,000 in the 1998 Budget of the Marion County Children's Guardian Home (County General Fund) for the development of the Guardian Home 2000 Project, Phase I, renovation activities financed by fund balances

FISCAL ORDINANCE NO. 84, 1998 - 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

FISCAL ORDINANCE NO. 85, 1998 - 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

FISCAL ORDINANCE NO. 86, 1998 - 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

FISCAL ORDINANCE NO. 87, 1998 - 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

FISCAL ORDINANCE NO. 88, 1998 - 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

FISCAL ORDINANCE NO. 89, 1998 - 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

FISCAL ORDINANCE NO. 90, 1998 - 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

FISCAL ORDINANCE NO. 91, 1998 - 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

FISCAL ORDINANCE NO. 92, 1998 - 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

FISCAL ORDINANCE NO. 93, 1998 - 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

GENERAL ORDINANCE NO. 102, 1998 - authorizes a traffic signal at Crawfordsville Road and Kohl's Driveway located at 5700 West (District 8)

GENERAL ORDINANCE NO. 103, 1998 - authorizes a multi-way stop at Jefferson Avenue and Nowland Avenue (Districts 10, 22)

GENERAL ORDINANCE NO. 104, 1998 - authorizes a multi-way stop at 23rd Street and Park Avenue (District 22)

GENERAL ORDINANCE NO. 105, 1998 - authorizes multi-way stops at Delray Drive/Wild Horse Lane and at Prairie Depot/Wild Horse Lane (District 18)

GENERAL ORDINANCE NO. 106, 1998 - authorizes a multi-way stop at 46th Street and Eagle Creek Parkway (District 1)

GENERAL ORDINANCE NO. 107, 1998 - authorizes intersection controls for the Eagledale area (District 8)

GENERAL ORDINANCE NO. 108, 1998 - authorizes multi-way stops for Concord Village West and to convert St. Clair Street to two-way traffic (District 16)

GENERAL ORDINANCE NO. 109, 1998 - authorizes the removal of parking meters on St. Joseph Street between Mendian Street and Scioto Street (District 22)

GENERAL ORDINANCE NO. 110, 1998 - authorizes parking restrictions at 1202 East Troy Avenue at Emma Donnan Middle School, #72 (District 21)

SPECIAL RESOLUTION NO. 34, 1998 - recognizes the distinguished public service of Donald Coleman

SPECIAL RESOLUTION NO. 35, 1998 - determines the need to lease approximately 3,900 square feet of office space at 129 East Market Street for the Office of Prosecuting Attorney

SPECIAL RESOLUTION NO. 36, 1998 - 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

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 1998 - 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

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 July 20, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 534, 1998 The proposal, sponsored by Councillors Hinkle and O'Dell, recognizes the Suburban West Optimist Club's "Always Buckle Children in the Back Seat" Program. Councillor Hinkle read the proposal and presented representatives with copies of the document and Council pins. Larry Highbaugh, Chairman of the Suburban West Optimist Club, thanked the Council for the recognition. Councillor Hinkle moved, seconded by Councillor O'Dell, for adoption. Proposal No. 534, 1998 was adopted by a unanimous voice vote.

Proposal No. 534, 1998 was retitled SPECIAL RESOLUTION NO. 37, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1998

A SPECIAL RESOLUTION recognizing the Suburban West Optimist Club's "Always Buckle Children in the Back Seat" Program.

WHEREAS, motor vehicle crashes are the leading cause of death for children five to fifteen years of age, and children are safer in seat belts while riding in the back seat according to a federal government traffic safety study; and

WHEREAS, the State of Indiana has just placed into effect a new seat belt law which this campaign strengthens through public education and enlightenment; and

WHEREAS, the Optimist International service organization has always been strong advocates for children, and the local Suburban West Optimist Club of Indianapolis has committed itself to a major public information campaign to spread the safety message about the proper placement of children in vehicles; and

WHEREAS, with support from the American Medical Association, the Fraternal Order of Police Grand Lodge, the National Safety Council and a manufacturer of air bags, the Suburban West Optimist members are distributing colorful informative brochures and window decals bearing the "Always

August 3, 1998

Buckle Children in the Back Seat" safety message to retailers, car dealers and rental agencies, educators, health care providers and community groups; 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 work of the Suburban West Optimist Club of Indianapolis to raise the awareness level of safely transporting children in motor vehicles.

SECTION 2. Indianapolis is a better place to live because of people who choose to become involved in the community like Larry Highbaugh, Chair of this child safety awareness program, Suburban West Optimist President Darrel Paul, and all the other officers and active club members.

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

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

PROPOSAL NO. 304, 1998. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 304, 1998 on May 27, July 15, and August 3, 1998. The proposal approves the Mayor's appointment of Debra Normann as Director of the Department of Parks and Recreation for a term ending December 31, 1998. By a 3-3 vote, the motion to report the proposal to the Council with the recommendation that it do pass failed.

Councillor McClamroch moved, seconded by Councillor Curry, to consider Proposal No. 304, 1998 as the Committee of the Whole Council. Councillor McClamroch stated that, while it is appropriate to raise Parks Department issues, this appointment is not the proposal that should be used to address those issues.

Councillor Golc stated that he will oppose any person being appointed to this position who has a privatization vision for the Parks Department.

Councillor Moores stated that political issues about the running of the Parks Department should be addressed to the Mayor, instead of holding up the appointment of an eminently qualified department director.

Councillor Gray stated that during consideration of this proposal is the proper time to raise Parks Department issues.

Councillor Williams stated that, while she believes the Mayor has the right to appoint directors to his administration as he sees fit, she will oppose this proposal because she does not feel the public has had sufficient input.

Councillor Shambaugh stated that the meeting held on July 15, 1998 was a three-hour meeting, which consisted primarily of public input, and that every name on the speaker list was called and each had an opportunity to speak. He stated that those who chose to leave made the decision to forfeit their opportunity to speak.

Councillor Coughenour moved, seconded by Councillor Gilmer, to close debate on Proposal No. 304, 1998. Debate was closed on the following roll call vote; viz:

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

The President called for a vote on Councillor McClamroch's motion to consider Proposal No. 304, 1998 as the Committee of the Whole Council. The motion carried by the following roll call vote; viz:

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

Councillor Shambaugh moved, seconded by Councillor Schneider, for adoption. Proposal No. 304, 1998 was adopted by the following roll call vote; viz:

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

Proposal No. 304, 1998 was retitled COUNCIL RESOLUTION NO. 68, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 1998

A COUNCIL RESOLUTION approving the Mayor's appointment of Debra Normann as Director of the Department of Parks and Recreation for a term ending December 31, 1998.

WHEREAS, pursuant to IC 36-3-3-8 and Section 201-3 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Parks and Recreation 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 Debra Normann to serve as Director of the Department of Parks and Recreation at his pleasure for a term ending December 31, 1998; now, therefore:

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

SECTION 1. Debra Normann is approved and confirmed by the City-County Council to serve as Director of the Department of Parks and Recreation at the pleasure of the Mayor for a term ending December 31, 1998.

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

PROPOSAL NO. 377, 1998. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 377, 1998 on July 30, 1998. The proposal reappoints Bernie Paul to the Air Pollution Control Board. By a 7-0 vote, the Committee reported the proposal to the Council with

August 3, 1998

the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 377, 1998 was adopted by a unanimous voice vote.

Proposal No. 377, 1998 was retitled COUNCIL RESOLUTION NO. 69, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1998

A COUNCIL RESOLUTION reappointing Bernie Paul to the Air Pollution Control Board.

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

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

Bernie Paul

SECTION 2. The appointment made by this resolution is for a term ending June 4, 2002. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 518, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which is the annual budget for the Police Special Service District for 1999"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 519, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which is the annual budget for the Fire Special Service District for 1999"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 520, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which is the annual budget for the Solid Waste Collection Special Service District for 1999"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 521, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Revenue Bonds Debt Service Funds for 1999"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 522, 1998. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Marion County Office of Family and Children for 1999"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 523, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Metropolitan Emergency Communications Agency for 1999"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 524, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for Indianapolis and Marion County for 1999"; and the President referred it to the Administration and Finance, Capital Asset Management, Community Affairs, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice, and Public Works Committees.

PROPOSAL NO. 525, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the sale of a parcel of real estate having an appraisal value of \$50,000 or more"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 526, 1998. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Resolution which increases the salary schedule for Marion County civilian employees by three percent to compensate for cost of living increases and by an additional two percent to bring the salary schedule more closely in line with the job market"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 527, 1998. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 528, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$90,000 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to administer the 'Network of Employers for Traffic Safety Program' funded by a grant from the Indiana Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 529, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$8,800 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to increase the salary of the victim assistance director funded by an amended grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 530, 1998. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes amendments to an existing agreement between the City and Boone County Utilities, LLC for sewage and wastewater treatment and disposal services"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 531, 1998. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Senate Boulevard and Methodist Hospital (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 532, 1998. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of parking meter

zones and adding parking restrictions to various Downtown locations (Districts 16, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 533, 1998. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the reduction in the speed limit on Green Rock Lane from Southeastern Avenue to Southeastern Avenue (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 535, 1998. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes the 'Year 2000 Special Purpose Fund'"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 536, 1998. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$12,654,515 in the 1998 Budget of the Office of the City Controller (Year 2000 Special Purpose Fund) to fund the City/County Year 2000 project financed by County General Revenue and fund balance reductions in the Consolidated County General Fund, the Police General Fund, and the Fire General Fund"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 537, 1998. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$7,685,504 in the 1998 Budget of the County Auditor (County General Fund \$5,285,504; Deferral Programs Fee Fund \$1,500,000; Cumulative Capital Development Fund \$900,000) to pay the County portion of the year 2000 project financed by the funds balances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 538, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which concerns traffic control signals"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 539, 1998. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Parker Avenue and 17th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 544, 1998. Introduced by Councillor Moores. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends and recodifies the chapter concerning human relations and equal opportunity by deleting provisions which have been adjudged to be unconstitutional and to make certain other technical changes"; and the President referred it to the Regulatory Research and Review Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 540 and 541, 1998 and PROPOSAL NOS. 542 and 543, 1998. Introduced by Councillor Hinkle. Proposal Nos. 540 and 541, 1998 and Proposal Nos. 542 and 543, 1998 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 30, 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. 173-176, 1998, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 173, 1998.

98-Z-112

4770 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 23

CORNERSTONE ASSEMBLY OF GOD CHURCH, by Gregory P. Cafouros, requests a rezoning of 6.0 acres, being in the C-3 District, to the SU-1 classification for religious use.

REZONING ORDINANCE NO. 174, 1998.

98-Z-125

6509 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7

AMERICAN STORES PROPERTIES, INC., by Stephen D. Mears, requests a rezoning of 2.18 acres, being in the C-S District, to the C-S classification to provide for a drugstore with 2 drive-through service windows.

REZONING ORDINANCE NO. 175, 1998.

98-Z-144

2449 EAST 56th STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7

CARSEN CORPORATION requests a rezoning of 0.08 (+) acre, being in the D-4 District, to the C-4 classification to provide for commercial uses including a restaurant.

REZONING ORDINANCE NO. 176, 1998.

98-Z-137

1340 SOUTH MADISON AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25

LINDA KOPETSKY, by Theodore L. Giesekeing, requests a rezoning of 3.02 acres, being in the 1-4-U District, to the C-7 classification to provide for high intensity commercial development including car and truck sales.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 499, 1998 The proposal proposes to rezone 8.02 acres at 7101 Griffith Road from the D-A(FP) District to the D-5II(FP) classification to provide for a two-family residential development. On July 20, 1998, Councillor Massie asked for Proposal No. 499, 1998 to be scheduled for a public hearing on August 3, 1998.

Councillor Hinkle made the following motion:

Mr. President:

I am happy to report that the petitioners and remonstrators have reached a compromise on Proposal No. 499, 1998 (98-Z-72) and pursuant to the rules, I now move for the vote on Proposal No. 499, 1998, as modified by the additional commitments, without further public hearing.

Councillor Short seconded the motion. Mike Kias, attorney for the petitioner, and Charles Ponsler, representative of the remonstrators, confirmed that an agreement has been reached. Proposal No. 499, 1998 was adopted on the following roll call vote; viz:

August 3, 1998

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

0 NAYS:

2 NOT VOTING: Cockrum, Tilford

2 ABSENT: Massie, Smith

Pursuant to IC 36-7-4-608, Proposal No. 499, 1998 took effect upon adoption by the City-County Council, was retitled for identification as REZONING ORDINANCE NO. 177, 1998, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 177, 1998.

98-Z-72

7101 GRIFFITH ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #20

WORTHPORT REALTY, by Michael J. Kias, requests a rezoning of 8.02 acres, being in the D-A(FP) District, to the D-5II(FP) classification to provide for a two-family residential development.

PROPOSAL NO. 367, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 367, 1998 on July 29, 1998. The proposal approves an increase of \$940,036 in the 1998 Budget of the Marion County Justice Agency (Drug Free Community Fund) which is the annual appropriation from the Drug Free Community Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:37 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 367, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Bradford, Franklin, Tilford, Williams

2 ABSENT: Massie, Smith

Proposal No. 367, 1998 was retitled FISCAL ORDINANCE NO. 94, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Nine Hundred Forty Thousand Thirty Six Dollars (\$940,036) in the Drug Free Community Fund for purposes of the annual appropriation for Drug Free Community Projects and reducing the unappropriated and unencumbered balance in the Drug Free Community 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(bb) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the annual appropriation of the Drug Free Community Fund.

SECTION 2. The sum of Nine Hundred Forty Thousand Thirty Six Dollars (\$940,036) 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 JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>940,036</u>
TOTAL INCREASE	940,036

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

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	<u>940,036</u>
TOTAL REDUCTION	940,036

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. 449, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 449, 1998 on July 27, 1998. The proposal approves an increase of \$125,000 in the 1998 Budget of the Department of Metropolitan Development, Division of Administrative Services (Consolidated County Fund) to fund community enhancement projects administered by the Greater Indianapolis Progress Committee financed by fund balances. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 449, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 ABSENT: *Massie, Smith*

Proposal No. 449, 1998 was retitled FISCAL ORDINANCE NO. 95, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Administration, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Department of Metropolitan Development, Division of Administrative Services, to fund community enhancement projects administered by the Greater Indianapolis Progress Committee.

SECTION 2. The sum of One Hundred Twenty-five Thousand Dollars (\$125,000) 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 METROPOLITAN DEVELOPMENT</u>	
<u>DIVISION OF ADMINISTRATION</u>	
3. Other Services and Charges	<u>125,000</u>
TOTAL INCREASE	125,000

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

<u>CONSOLIDATED COUNTY FUND</u>	
Unappropriated and Unencumbered	
Consolidated County Fund	<u>125,000</u>
TOTAL REDUCTION	125,000

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

PROPOSAL NO. 450, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 450, 1998 on July 27, 1998. The proposal approves an increase of \$49,000 in the 1998 Budget of the Department of Metropolitan Development, Division of Community Development and Financial Services (State Grants Fund) to fund Brownfield assessments financed by a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:45 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 450, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 450, 1998 was retitled FISCAL ORDINANCE NO. 96, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Forty-nine Thousand Dollars (\$49,000) in the State Grants Fund for purposes of the Department of Metropolitan Development, Division of Community Development and Financial Services, and reducing the unappropriated and unencumbered balance in the State Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 101(j) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Division of Community Development and Financial Services, to fund Brownfield assessments.

SECTION 2. The sum of Forty-nine Thousand Dollars (\$49,000) 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 METROPOLITAN DEVELOPMENT</u> <u>DIVISION OF COMMUNITY DEVELOPMENT AND</u> <u>FINANCIAL SERVICES</u>	<u>STATE GRANTS FUND</u>
3. Other Services and Charges	<u>49,000</u>
TOTAL INCREASE	49,000

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	<u>49,000</u>
TOTAL REDUCTION	49,000

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. 451, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 451, 1998 on July 27, 1998. The proposal approves an increase of \$100,000 in the 1998 Budget of the Department of Metropolitan Development, Division of Community Development and Financial Services (Redevelopment General Fund) to make infrastructure improvements in the Barrington neighborhood financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Williams, for adoption. Proposal No. 451, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Tilford

2 ABSENT: Massie, Smith

Proposal No. 451, 1998 was retitled FISCAL ORDINANCE NO. 97, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Division of Community Development and Financial Services, and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Division of Community Development and Financial Services, to make infrastructure improvements in the Barrington neighborhood.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>DIVISION OF COMMUNITY DEVELOPMENT</u>	
<u>AND FINANCIAL SERVICES</u>	
3. Other Services and Charges	<u>100,000</u>
TOTAL INCREASE	100,000

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

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

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

PROPOSAL NO. 452, 1998 Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 452, 1998 on July 29, 1998. The proposal, sponsored by Councillor Curry, elects to fund MECA operations in calendar year 1999 with \$2 million of COIT revenue. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 452, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 452, 1998 was retitled SPECIAL ORDINANCE NO. 7, 1998, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1998

A SPECIAL ORDINANCE election to fund MECA in 1999 with County Option Income Tax (COIT) Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the City-County Council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 1999, the City-County Council, prior to September 1, 1998, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

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

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 1999 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,000,000.

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 453-463, 465, and 466, 1998 on July 29, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 453, 1998. The proposal approves an increase of \$17,849 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue the current part-time facilitator's salary to co-chair a Domestic Violence Coordinating Council in Marion County funded by Federal S.T.O.P. (Services Training Officers Prosecution) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 454, 1998. The proposal approves an increase of \$20,542 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue a grant to help communities to organize against domestic violence and create and implement inter-agency protocols in Marion County to manage domestic violence cases funded by Federal S.T.O.P. (Services Training Officers Prosecution) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 455, 1998. The proposal approves an increase of \$62,766 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide partial funding for staff, Domestic Violence Conference, and transportation for clients of the Salvation Army funded by Federal V.O.C.A. (Victims of Child Abuse) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 456, 1998. The proposal approves an increase of \$37,296 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for security, staff training, and client transportation for the Salvation Army funded by S.T.O.P. (Services Training Officers Prosecution) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 457, 1998. The proposal approves an increase of \$52,647 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding for the Julian Center funded by Federal S.T.O.P. (Services Training Officers Prosecution) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 458, 1998. The proposal approves an increase of \$66,366 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund construction of a Children's Waiting Room near the Domestic Violence Court

funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 459, 1998. The proposal approves an increase of \$60,000 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund the second year of a grant to Breaking Free, Inc. to support a Victim Advocate Program funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 460, 1998. The proposal approves an increase of \$284,633 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding for the Centers of Hope funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 461, 1998. The proposal approves an increase of \$20,504 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to cover a portion of the salary of a grants coordinator funded by reimbursements from six grant recipients. PROPOSAL NO. 462, 1998. The proposal approves an increase of \$6,793 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to add an additional felony court advocate funded by V.O.C.A. (Victims of Child Abuse) funds through the Indiana Criminal Justice Institute. PROPOSAL NO. 463, 1998. The proposal approves an increase of \$1,500 in the 1998 Budget of the Prosecuting Attorney (County Grants Fund) to expand the production of the crack video produced by Channel 16 funded by contributions from the Indianapolis Neighborhood Housing Partnership. PROPOSAL NO. 465, 1998. The proposal approves an increase of \$294,000 in the 1998 Budget of the Marion County Justice Agency (County Corrections Fund) for the diversion of misdemeanor populations from state penal facilities funded by State County Correction Funds. PROPOSAL NO. 466, 1998. The proposal approves an increase of \$29,809 in the 1998 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to assist the Julian Center in funding their Respite Care Program for Children funded by a grant from the Indiana Criminal Justice Institute. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:02 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal Nos. 453-463, 465, and 466, 1998 were adopted on the following roll call vote; viz:

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

Proposal No. 453, 1998 was retitled FISCAL ORDINANCE NO. 98, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Seventeen Thousand Eight Hundred Forty-nine Dollars (\$17,849) 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 continue the current part-time facilitator's salary to co-chair a Domestic Violence Coordinating Council in Marion County.

SECTION 2. The sum of Seventeen Thousand Eight Hundred Forty-nine Dollars (\$17,849) 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>17,849</u>
TOTAL INCREASE	17,849

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>17,849</u>
TOTAL REDUCTION	17,849

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. 454, 1998 was retitled FISCAL ORDINANCE NO. 99, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty Thousand Five Hundred Forty-two Dollars (\$20,542) 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 continue a grant to help communities to organize against domestic violence and create and implement inter-agency protocols in Marion County to manage domestic violence cases.

SECTION 2. The sum of Twenty Thousand Five Hundred Forty-two Dollars (\$20,542) 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>20,542</u>
TOTAL INCREASE	20,542

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>20,542</u>
TOTAL REDUCTION	20,542

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. 455, 1998 was retitled FISCAL ORDINANCE NO. 100, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Sixty-two Thousand Seven Hundred Sixty-six Dollars (\$62,766) 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 provide partial funding for staff, Domestic Violence Conference and transportation for clients of the Salvation Army.

SECTION 2. The sum of Sixty-two Thousand Seven Hundred Sixty-six Dollars (\$62,766) 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>62,766</u>
TOTAL INCREASE	62,766

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>62,766</u>
TOTAL REDUCTION	62,766

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. 456, 1998 was retitled FISCAL ORDINANCE NO. 101, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Thirty-seven Thousand Two Hundred Ninety-six

Dollars (\$37,296) 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 provide for security, staff training, and client transportation for the Salvation Army.

SECTION 2. The sum of Thirty-seven Thousand Two Hundred Ninety-six Dollars (\$37,296) 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	37,296
TOTAL INCREASE	37,296

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	37,296
TOTAL REDUCTION	37,296

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. 457, 1998 was retitled FISCAL ORDINANCE NO. 102, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Fifty-two Thousand Six Hundred Forty-seven Dollars (\$52,647) 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 continue funding for the Julian Center.

SECTION 2. The sum of Fifty-two Thousand Six Hundred Forty-seven Dollars (\$52,647) 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>52,647</u>
TOTAL INCREASE	52,647

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>52,647</u>
TOTAL REDUCTION	52,647

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. 458, 1998 was retitled FISCAL ORDINANCE NO. 103, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Sixty-six Thousand Three Hundred Sixty-six Dollars (\$66,366) 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 I.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 fund Construction of a Children's Waiting Room.

SECTION 2. The sum of Sixty-six Thousand Three Hundred Sixty-six Dollars (\$66,366) 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>66,366</u>
TOTAL INCREASE	66,366

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>66,366</u>
TOTAL REDUCTION	66,366

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. 459, 1998 was retitled FISCAL ORDINANCE NO. 104, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Sixty Thousand Dollars (\$60,000) 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 fund the second year of a grant to Breaking Free, Inc. to support a Victim Advocate Program.

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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>60,000</u>
TOTAL INCREASE	60,000

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>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 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. 460, 1998 was retitled FISCAL ORDINANCE NO. 105, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Two Hundred Eighty-four Thousand Six Hundred Thirty-three Dollars (\$284,633) 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 continue funding for the Centers of Hope.

SECTION 2. The sum of Two Hundred Eighty-four Thousand Six Hundred Thirty-three Dollars (\$284,633) 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>284,633</u>
TOTAL INCREASE	284,633

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>284,633</u>
TOTAL REDUCTION	284,633

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. 461, 1998 was retitled FISCAL ORDINANCE NO. 106, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty Thousand Five Hundred Four Dollars (\$20,504) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor 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 Prosecuting Attorney and County Auditor to cover a portion of the salary of a grants coordinator.

SECTION 2. The sum of Twenty Thousand Five Hundred Four Dollars (\$20,504) 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	4,101
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	<u>16,403</u>
TOTAL INCREASE	20,504

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>20,504</u>
TOTAL REDUCTION	20,504

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. 462, 1998 was retitled FISCAL ORDINANCE NO. 107, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Six Thousand Seven Hundred Ninety-three Dollars (\$6,793) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor 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 Prosecuting Attorney and County Auditor to add an additional felony court advocate.

SECTION 2. The sum of Six Thousand Seven Hundred Ninety-three Dollars (\$6,793) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - fringes	1,177
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	4,616
2. Supplies	500
3. Other Services and Charges	<u>500</u>
TOTAL INCREASE	6,793

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>6,793</u>
TOTAL REDUCTION	6,793

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

August 3, 1998

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. 463, 1998 was retitled FISCAL ORDINANCE NO. 108, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional One Thousand Five Hundred Dollars (\$1,500) 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 expand the production of the crack video produced by Channel 16.

SECTION 2. The sum of One Thousand Five Hundred Dollars (\$1,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GRANTS FUND</u>
3. Other Services and Charges	1,500
TOTAL INCREASE	1,500

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered County Grants Fund	1,500
TOTAL REDUCTION	1,500

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. 465, 1998 was retitled FISCAL ORDINANCE NO. 109, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Two Hundred Ninety-four Thousand Dollars (\$294,000) in the County Corrections Fund for purposes of the Marion County Justice Agency and County Auditor and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,bb) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency for the diversion of misdemeanant populations from state penal facilities.

SECTION 2. The sum of Two Hundred Ninety-four Thousand Dollars (\$294,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CORRECTIONS FUND</u>
I. Personal Services - fringes	4,000
 <u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	16,000
3. Other Services and Charges	<u>274,000</u>
TOTAL INCREASE	294,000

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

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	<u>294,000</u>
TOTAL REDUCTION	294,000

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

Proposal No. 466, 1998 was retitled FISCAL ORDINANCE NO. 110, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Twenty-nine Thousand Eight Hundred Nine Dollars (\$29,809) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I.02(bb) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to assist the Julian Center in funding their Respite Care Program for Children.

SECTION 2. The sum of Twenty-nine Thousand Eight Hundred Nine Dollars (\$29,809) 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 JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>29,809</u>
TOTAL INCREASE	29,809

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>29,809</u>
TOTAL REDUCTION	29,809

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.

Councillor Curry made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 537, 1998, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on August 31, 1998.

Councillor Talley seconded the motion, and the requirements were suspended for Proposal No. 537, 1998 by a unanimous voice vote.

PROPOSAL NO. 485, 1998. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 485, 1998 on July 21, 1998. The proposal approves the issuance of special taxing district bonds of the Redevelopment District of the City, in one or more series or issues, payable solely from taxes on real property located in the Consolidated Redevelopment Allocation Area ("Area") allocated and deposited into the Area Special Fund and from other revenues of the Metropolitan Development Commission, acting as the Redevelopment Commission. Councillor Curry moved, seconded by Councillor Borst, to postpone Proposal No. 485, 1998 until August 31, 1998. Proposal No. 485, 1998 was postponed by a unanimous voice vote.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 448, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 448, 1998 on July 13, 1998. The proposal amends the Wireless Communications Zoning Ordinance (98-AO-06) (Certified July 2, 1998). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Williams, for adoption.

Councillor Williams stated that this proposal will aid in limiting the proliferation of cell towers in the City, which is greatly needed, as she is noticing more and more being constructed on a daily basis.

Proposal No. 448, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 448, 1998 was retitled GENERAL ORDINANCE NO. 111, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1998

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 98-AO-06

THE WIRELESS COMMUNICATION ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Wireless Communication Zoning Ordinance, as amended, and fixing a time then the same shall take effect.

WHEREAS, IC 36-7-4 established the Metropolitan Development Commission of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the Metropolitan Development Commission 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 within 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; and,

WHEREAS, the wireless communications industry has produced new and changing technology not anticipated by the current zoning ordinances, but which requires regulation to protect land uses within the County; and,

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

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

SECTION I. The Wireless Communications Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission docket number 98-A0-I), pursuant to IC 36-7-4 be amended by deleting the stricken language and inserting the underscored language in bold type as follows:

CHAPTER 1.00 PURPOSE AND APPLICATION

Sec. 1.10. Statement of purpose.

This ordinance creates the framework for wireless communications regulations, so that wireless communications facilities can be sited in a manner which provides comprehensive service to the community, which protects the community from clutter and design, which is compatible with existing and future land use, and which reinforces the need for an urban landscape which contributes to a sense of place and sense of community. These regulations have been developed in accordance with the technological considerations known at this time, with some anticipation for future changes in the

wireless communications industry. Changes to the industry which were not anticipated, will be considered in future amendments to this Ordinance.

The purpose of the wireless communications regulations set forth in this document shall be to: encourage facilities to be located in areas least disruptive to residential, park and greenway uses and functions, including wildlife habitats, and to be as unobtrusive and invisible as reasonably possible; encourage designs and use of colors which are compatible with the adjacent land uses, to retain current residents and attract new residents to the city; encourage and facilitate installation of necessary and desirable wireless communications infrastructure; preserve and improve the appearance of the city as a place in which to live and work as an attraction to non-residents who come to visit or trade; safeguard and enhance property values; protect public and private investment in buildings and open spaces; supplement and be a part of the regulations imposed and the plan set forth under the Comprehensive Plan for Marion County; and promote the public health, safety, morals and general welfare.

Sec. 1.20. Application of regulations.

The regulations of this Ordinance shall apply to the location, erection, and maintenance of all wireless communications facilities (WCF) within Marion County, Indiana.

CHAPTER 2.00 GENERAL REGULATIONS

The provisions of this section shall apply to all wireless communications facilities in Marion County.

Sec. 2.10. Wall-mounted and roof-mounted WCF.

A. When permitted in D-A, D-S, D-1, D-2, D-3, D-4, D-5 and D-5II Districts, wall-mounted and roof-mounted WCF shall be in compliance with the following requirements:

1. WCF shall be no greater than 3 square feet in area, and no more than 6 inches deep (excluding antennae).
2. Antennae may extend no more than 24 inches from the ~~WCF~~ wall or other surface to which it is mounted.
3. WCF shall be compatible with the color(s) of the wall on which they are located.
4. WCF shall be located in a place least obtrusive to public view.
5. Administrator's approval is required for all wall-mounted and roof-mounted WCF.

B. In all other districts, where permitted by this Ordinance, wall-mounted WCF shall be in compliance with the following requirements:

1. Wall-mounted WCF may extend a maximum 24 inches from the facade on which the WCF is located. The distance shall be measured from the point on the wall where the WCF is attached, at right-angles from the wall, to the furthestmost extension of the WCF.
2. Wall-mounted WCF shall be compatible with the color(s) of the wall on which they are located.
3. Wall-mounted WCF shall be designed to be compatible with the design and materials of the building on which the WCF will be attached, and located in a place least obtrusive to public view.
4. The total area of all wall-mounted WCF located on a facade shall not exceed 2% of the area of the facade on which the structure is located.
5. Wall-mounted WCF may extend a maximum of 10 feet above the wall on which they are located.
6. Administrator's approval is required for all wall-mounted WCF.

Sec. 2.20. Landscaping.

A landscape yard shall be provided around the entire perimeter of a tower site to screen the fence and the equipment structure, exclusive of vehicular or pedestrian entrances. This yard shall be planted to provide a continuous landscape screen around the site. This may be done by one of the following methods:

A. *Shrubs.* Shrubs must have a minimum height of four feet and shall be planted at a maximum of four feet on center. The shrubs must be either evergreen shrubs or densely twigged deciduous shrubs.

B. *Deciduous ornamental trees or multi-stemmed trees.* Deciduous ornamental trees or multi-stemmed trees must have a dense branching pattern that extends to the ground and shall be a minimum size of 1 1/2 caliper inches at time of planting and shall be planted at a maximum of 10 feet on center.

C. *Evergreen trees.* Evergreen trees must have a dense branching pattern and shall be planted at a maximum of 12.5 feet on center.

D. *Existing trees and shrubs.* Existing trees and shrubs may be used to screen the site. If the existing vegetation does not form a continuous screen around the site or does not extend from the ground to a height of six feet, it must be supplemented with additional vegetation.

E. *Combination.* A combination of the above methods may be used, provided that the vegetation forms a continuous screen around the site or extends from the ground to a height of six feet.

F. *Maintenance.* Where multiple users of a site are involved, the owner of the site shall be responsible for the installation and maintenance of all landscaping.

The landscape yard shall be a minimum of 10 feet in width. If using method C., the yard shall be 20 feet in width to accommodate the larger width of the vegetation.

The minimum size of all required landscape plant materials, at the time of planting, including replacement trees and shrubs, shall be as required in Section 2.13, G., 1., g. of the Commercial Zoning Ordinance.

The required landscaping must be maintained at all times and replaced if it dies, for as long as the use remains.

Sec. 2.30. Guy anchorages.

Any guy anchorages shall not be located within any front, side or rear transitional yard, and in any event, shall be set back at least 30 feet from any lot line.

Sec. 2.40. Provisions for more than one user.

A. Sufficient land shall be secured by the initial WCF tower provider, to reserve adequate area for more than one equipment structure.

B. All towers shall be designed and constructed so that more than one wireless communications company may attach equipment to the tower. When applying for an Improvement Location Permit, the owner of the tower shall provide assurance that the tower is available for use by other wireless communications providers.

Sec. 2.50. More than one tower in a half-mile.

If any tower is proposed within 1/2 mile radius of another tower, prior to obtaining an Improvement Location Permit, the entity requesting the new tower must:

A. Identify all towers within 1/2 mile radius of the proposed tower; and

B. Provide information to the Administrator outlining the reason(s) those towers cannot be used for additional WCF.

If there is space available for additional WCF on any of those towers, as required by Section 2.40 of this Ordinance, or by previous variance condition or commitment, or if the reason(s) are found by the Administrator not to be justified, the Improvement Location Permit for the new tower shall not be granted.

Sec. 2.60. Existing towers.

Any tower which is legally established on the effective date of this Ordinance, may be used for wireless communication facilities, as long as the height is not increased, nor the location of the tower changed.

Sec. 2.70. Signs prohibited.

No lettering, symbols, images, trademarks, signs or advertising of any kind shall be placed on, or affixed to, any part of a tower or structure, other than as required by the Federal Aviation Administration, by Federal Communications Commission or other agency regulations, or as required to protect public health and safety.

CHAPTER 3.00 SPECIFIC REGULATIONS

Sec. 3.10. Where permitted.

Wireless Communication facilities may be located in the zoning districts indicated on the following chart, subject to the standards referenced on the chart. Sites located within a locally-designated historic district are also subject to the requirements of Indiana Code Section 36-7-11.1, and sites located within the Meridian Street Preservation Area are subject to the requirements of Indiana Code Section 36-7-11.2, and this Ordinance is not intended to alter or affect the authorities of the Indianapolis Historic Preservation Commission (IHPC) or the Meridian Street Preservation Commission (MSPC), or the foregoing Indiana Statutes.

Wireless Communications facilities may also be located:

- A. On signs as regulated by Section 3.50 of this Ordinance;
- B. In highpower electric transmission line easements or rights-of-way as regulated by Section 3.40 A of this Ordinance; and
- C. In public rights-of-way, as regulated by Section 3.40 B of this Ordinance.

Zone	Wall-mounted WCF	Roof-mounted WCF	Monopole tower for WCF	All other towers for WCF	Height category
D-A	Yes	Yes	No	No	5
D-S	Yes	Yes	No	No	5
D-1	Yes	Yes	No	No	5
D-2	Yes	Yes	No	No	5
D-3	Yes	Yes	No	No	5
D-4	Yes	Yes	No	No	5
D-5	Yes	Yes	No	No	5
D-5II	Yes	Yes	No	No	5
D-6	Yes	Yes	No	No	4
D-6II	Yes	Yes	No	No	4
D-7	Yes	Yes	No	No	4
D-8	Yes	Yes	No	No	4
D-9	Yes	Yes	No	No	4
D-10	Yes	Yes	No	No	4
D-P	(Note 1)	(Note 1)	(Note 1)	(Note 1)	(Note 1)
C-1	Yes	Yes	No	No	4
C-2	Yes	Yes	No	No	4
C-3	Yes	Yes	No	No	4

Zone	Wall-mounted WCF	Roof-mounted WCF	Monopole tower for WCF	All other towers for WCF	Height category
C-3C	Yes	Yes	No	No	4
C-4	Yes	Yes	Yes	No	3
C-5	Yes	Yes	Yes	No	3
C-6	Yes	Yes	Yes	No	2
C-7	Yes	Yes	Yes	No	2
C-ID	Yes	Yes	Yes	No	2
C-S	Yes	Yes	(Note 2)	(Note 2)	(Note 2)
CBD-1	Yes (Note 3)	Yes (Note 3)	Yes (Note 3)	No	1 (Note 3)
CBD-2	Yes (Note 3)	Yes (Note 3)	Yes (Note 3)	No	1 (Note 3)
CBD-3	Yes (Note 3)	Yes (Note 3)	No	No	4
CBD-S	(Note 4)	(Note 4)	(Note 4)	(Note 4)	(Note 4)
I-1 (U/S)	Yes	Yes	No	No	4
I-2 (U/S)	Yes	Yes	Yes	No	2
I-3 (U/S)	Yes	Yes	Yes	Yes	2
I-4 (U/S)	Yes	Yes	Yes	Yes	2
HD (1/2)	Yes (Note 5)	Yes (Note 5)	Yes	Yes	(Note 5)
UQ (1/2)	Yes (Note 5)	Yes (Note 5)	Yes	Yes	(Note 5)
PK-1	Yes (Note 8)	Yes (Note 8)	Restricted (Note 11) Yes (Note 8)	No	(Note 11) (Note 8)
PK-2	Yes (Note 5)	Yes (Note 5)	(Note 9)	(Note 9)	(Note 9)
SU-1	Yes	Yes	(Note 6)	(Note 6)	(Note 6)
SU-2	Yes	Yes	(Note 6)	(Note 6)	(Note 6)
SU-3	Yes	Yes	(Note 6)	(Note 6)	(Note 6)
SU-5	Yes	Yes	Yes	Yes	1
SU-9	Yes (Note 5)	Yes (Note 5)	(Note 10)	(Note 10)	(Note 10)
SU-10	Yes	Yes	(Note 6)	(Note 6)	(Note 6)
SU-13	Yes	Yes	Yes	Yes	1
SU-18	Yes	Yes	Yes	Yes	1
SU-23	Yes	Yes	Yes	Yes	1
SU-28	Yes	Yes	Yes	Yes	1
SU-35	Yes	Yes	Yes	Yes	1
SU(all other)	Yes	Yes	No	No	4 (Note 7)

- Note 1: Provisions for wireless communications must be provided in the D-P development statement.
- Note 2: Provisions for wireless communications must be provided in the C-S rezoning ordinance. If no specific provisions were listed, wall and roof-mounted WCF are subject to height Category 4.
- Note 3: The appropriateness of the request will be evaluated in the Regional Center review process.
- Note 4: Provisions for wireless communications must be provided in the CBD-S rezoning ordinance.
- Note 5: The appropriateness of the request will be evaluated in the Special Districts review process.
- Note 6: Requires Special Exception.
- Note 7: Requires Administrator's Approval.
- Note 8: All towers and WCF must be camouflaged to fit in with the surrounding environment. The appropriateness of the request will be evaluated in the Special Districts review process.
- Note 9: If proposed tower is within 500 feet of a dwelling, it requires special exception, where height will be determined. The height of wall and roof-mounted WCF, and towers will be determined in the Special Districts review process.
- Note 10: If proposed tower is within 500 feet of a Dwelling District, requires special exception, where height will be determined. Wall and roof-mounted WCF subject to height Category 4. Towers over 500 feet from a Dwelling District subject to height Category 1.
- Note 11: Generally, towers are highly discouraged from location in PK-1 Districts. In certain areas, however, a tower might be appropriate, because the land use of the specific PK-1 District might not be that typically considered a park. Towers might be permitted by special exception only on the following PK-1 sites: salt depositories; maintenance areas**

which are not readily accessible or visible to the public; existing or proposed sports facility lighting structures; within highpower electric transmission line easements; and in areas not readily accessible to the public on the periphery of parks adjacent to Federal Interstate Highways or active railroad lines.

Sec. 3.20. Height regulations.

A. Category 1 (CBD-1, CBD-2, SU-5, SU-13, SU-18, SU-23, SU-28, SU-35, SU-9 limited). No height restrictions.

B. Category 2 (C-6, C-7, C-ID, I-2, I-3, I-4).

1. In the C-6, C-7 and C-ID Districts, no height restrictions for free-standing WCF located 500 feet or more from a Protected District or a greenway.

In the I-2, I-3 and I-4 Districts, no height restrictions for free-standing WCF located 300 feet or more from a Protected District or a greenway.

2. Within 500 feet of a protected District or a greenway, in the C-6, C-7, and C-ID Districts, the height for a free-standing WCF is limited to a maximum of 25 feet higher than the building height permitted by the District where the WCF is located.

Within 300 feet of a protected District or a greenway, in the I-2, I-3 and I-4 Districts, the height for a free-standing WCF is limited to a maximum of 25 feet higher than the building height permitted by the District where the WCF is located.

3. Roof mounted WCF subject to the following:

Height may be 10 feet greater than the maximum building height permitted by the District where the WCF is located.

Height may be increased to 20 feet greater than the maximum building height permitted by the District where the WCF is located, if the height increase is approved by the Administrator.

4. Wall-mounted WCF may extend a maximum of 10 feet above the wall on which they are located.

C. Category 3 (C-4, C-5).

1. Maximum height of 90 feet allowed for free-standing WCF located 500 feet or more from a Protected District or a greenway.

2. Within 500 feet of a Protected District or a greenway, the height for a free-standing WCF is limited to a maximum of 5 feet higher than the building height permitted by the District where the WCF is located.

3. Roof mounted WCF subject to the following:

Height may be 10 feet greater than the maximum building height permitted by the District where the WCF is located.

Height may be increased to 20 feet greater than the maximum building height permitted by the District where the WCF is located, if the height increase is approved by the Administrator.

4. Wall-mounted WCF may extend a maximum of 10 feet above the wall on which they are located.

D. Category 4 (D-6, D-6II, D-7, D-8, D-9, D-10, C-1, C-2, C-3, C-3C, C-S, CBD-3, I-1, SU limited).

1. Roof mounted WCF subject to the following:

Height may be 10 feet greater than the maximum building height permitted by the District where the WCF is located.

Height may be increased to 20 feet greater than the maximum building height permitted by the District where the WCF is located, if the height increase is approved by the Administrator.

2. Wall-mounted WCF may extend a maximum of 10 feet above the wall on which they are located.

E. Category 5 (D-A, D-S, D-1, D-2, D-3, D-4, D-5, **D-5II**).

Wall-mounted and roof-mounted WCF antennae may extend a maximum of 2 feet above the wall or roof on which they are located.

Sec. 3.30. Equipment structures for WCF.

A. Commercial, Industrial, and Dwelling Districts

Equipment structures shall be located in compliance with the specific accessory structure requirements for the district in which the site is located.

B. Central Business Districts.

Equipment structures are subject to the Regional Center approval process requirements.

C. Hospital Districts, University Quarter Districts, and Park Districts

Equipment structures are subject to the Special District approval process requirements for HD-1, HD-2, UQ-1, UQ-2 and PK-2 or special exception process as required for PK-1.

D. Special Use Districts.

1. Equipment structures shall not exceed 300 square feet in area, with a maximum height of 15 feet.

2. The location of equipment structures shall be subject to Administrator's Approval.

Sec. 3.40. Highpower electric transmission line easements or rights-of-way and public rights-of-way.

Wireless communications facilities may be located in highpower electric utility transmission line and substation easements or rights-of-way and public rights-of-way, under the following circumstances:

A. Highpower Electric Transmission Line Easements or Rights-of-way.

1. Existing Utility Structures - WCF may be located on existing utility structures, as long as the height of the WCF and the structure together is not more than 110% of the height of the existing structure.

2. New WCF Structures - New WCF structures shall only be located within the footprint of an existing utility structure (except in PK-1, where the location is subject to a special exception). WCF may be located on new structures, as long as the height of the WCF and the new structure together is not more than 110% of the height of the existing utility structure.

3. Design - Each WCF provider shall obtain written consent of the owner of the electric transmission line structure and submit a copy of such consent along with all plans to the Administrator, and shall have its WCF design package approved by the Administrator, prior to installation of any WCF on utility structures.

4. Equipment structures for WCF - Equipment structures shall not exceed 300 square feet in area for each structure, with a maximum height of 15 feet.
- B. Public Rights-of-way.
 1. Local and Collector Streets (Any streets not indicated in the Official Thoroughfare Plan for Marion County, Indiana.)
 - a. Wireless communications facilities may be located on utility poles, as long as the pole is not increased in height.
 - b. Extension from poles - WCF shall extend no more than 4 feet from the pole, measured from the pole to the furthest point of the WCF from the pole.
 - c. Equipment structures for WCF- Equipment structures shall not exceed 8 square feet in area, with a maximum project of 2 feet from the utility pole, and shall be attached to the same utility pole as the WCF.
 - d. Design - Each WCF provider shall obtain written consent of the owner of the utility pole and submit a copy of such consent along with all plans to the Administrator, and shall have its WCF design package approved by the Administrator, prior to installation of any WCF on utility poles.
 2. All other Streets (All streets indicated in the Official Thoroughfare Plan for Marion County, Indiana.)
 - a. WCF may be located on utility poles, as long as the height of the WCF and the pole together is not more than 110% of the height of the existing pole.
 - b. Extension from poles - WCF shall extend no more than 4 feet from the pole, measured from the pole to the furthest point of the WCF from the pole.
 - c. Equipment structures for WCF-
 - I. Interstate Highways - Equipment structures in rights-of-way of Interstate Highways shall not exceed 300 square feet in area, with a maximum height of 15 feet.
 - II. All other streets - Equipment structures shall not exceed 8 square feet in area.
 - d. Design - Each WCF provider shall obtain written consent of the owner of the utility pole and submit a copy of such consent along with all plans to the Administrator, and shall have its WCF design package approved by the Administrator, prior to installation of any WCF on utility poles.

Sec. 3.50. Signs.

Sign-mounted wireless communications facilities may be located on legally established signs under the following circumstances:

- A. WCF may be incorporated into a sign face, or located on a sign structure, as long as the sign face and structure are in compliance with all aspects of the Sign Regulations, for Marion County, Indiana, (71-AO-4, as amended). If the WCF is located on the outside of the sign face and structure, and is visible, the area of the antenna shall be included in the measurement of the sign area permitted by the Sign Regulations.
- B. Administrator's approval is required prior to installation of WCF on any sign or sign structure.
- C. Equipment structures for WCF shall not exceed 200 square feet in area, with a maximum height of 10 feet. Equipment structures shall be in compliance with Section 3.30 of this Ordinance.

D. Where signs have been approved by variance, WCF may be integrated into the sign or sign structure, only if all parameters and conditions of the variance are met.

Sec. 3.60. Special exception.

Where wireless communications facilities are permitted by special exception, an application for a wireless communication facility must be filed with the Board of Zoning Appeals having jurisdiction. A public hearing and notice to adjoining property owners and registered neighborhood organizations is required in accordance with the Rules of Procedure of the Board of Zoning Appeals.

~~If the Board determines that~~ **The Board may grant the Special Exception, only if the following conditions are met:**

A. The grant will not be injurious to the public health, safety, morals, convenience or general welfare, and

B. The grant will not materially and substantially interfere with the lawful use and enjoyment of adjoining property and the surrounding community,

C. The grant will assure that the design of the WCF is compatible with the surrounding environment, by camouflage, integration with existing structures, or other design-related solution, and

D. The grant is consistent with the 1996 Telecommunications Act, and

E. The grant is consistent with the statement of purposes as set forth in Section 1.10.

~~the special exception shall be granted.~~ Written findings shall be adopted by the Board, after its decision has been rendered.

Sec. 3.70. Tower removal.

A. Any tower which ceases to be used for a period of more than one (1) year shall be removed.

B. Before obtaining an Improvement Location Permit for a tower, an applicant which is not also the owner of the property must provide recordable evidence of a written agreement (a lease, a memorandum of lease, an affidavit or other recordable instrument) between the WCF operator and the property owner that the WCF operator has agreed to remove the tower as required by this Section 3.70 and further granting a right of access to the Department of Metropolitan Development to enforce this Section 3.70 and cause removal of the tower. If the Department of Metropolitan Development causes the removal of the tower, pursuant to this Section 3.70, the WCF operator, its successors, all other past users of the tower and the owner of the property upon which the tower is located shall be jointly and severally liable for the costs incurred by the Department of Metropolitan Development in accomplishing the removal.

C. Within thirty (30) days after use of a tower has ceased, the last user shall notify the Administrator of the discontinued use.

~~Towers which have not been used for a period of one year shall be removed. Within 30 days after use of a tower has been abandoned, the last provider to use the tower shall notify the Administrator of the discontinued use.~~

Sec. 3.80. Improvement location permit. An Improvement Location Permit application for a WCF shall include the following:

A. Site and landscape plans, drawn to scale.

B. A description of the WCF and its design.

C. Documentation, establishing the structural integrity of the WCF.

D. A statement that the WCF meets the standards of the American National Standards Institute.

- E. A statement regarding the availability of another WCF provider to use a tower, as required in Section 2.40.
- F. Proof of ownership of the proposed site, or property owner's consent to use the site for WCF.
- G. Copies or other evidence of any necessary easements.
- H. A map indicating the existing topography of the site.
- I. For a variance or special exception, a graphic or photographic representation shall be submitted, which shows the height of the WCF, in relation to its surroundings.

CHAPTER 4.00 DEFINITIONS

The words in the text or illustrations of this Ordinance shall be interpreted in accordance with the following definitions.

1. *Accessory.* A subordinate structure, building or use that is customarily associated with, and is appropriately and clearly incidental and subordinate in use to the primary structure and use, and is located on the same lot as the primary structure or use.
2. *Administrator.* Administrator of the Division of Neighborhood Services, of the Department of Metropolitan Development, or his/her appointed representative.
3. *Antenna.* A device used to collect or broadcast electromagnetic waves, including both directional antennas, such as panels and microwave dishes, and omnidirectional antennas, such as satellite dishes.
4. *Building.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.
5. *Building height.* The vertical distance above a reference line measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the height of the highest gable of a pitched or hipped roof. The reference line shall be selected by either of the following, whichever yields a greater building height:
 - a. the elevation of the highest adjoining sidewalk or ground surface within a 10 foot horizontal distance from and paralleling the exterior wall of the building or structure when said sidewalk or ground surface is not more than 10 feet above lowest grade;
 - b. an elevation 10 feet higher than the lowest grade when said sidewalk or ground surface is more than 10 feet above the lowest grade.
6. *Camouflage.* A structural design or treatment, including colors, intended to conceal and make a WCF visibly compatible with the surrounding area.
7. *Equipment structure.* Any structure needed to house apparatus needed for the operation and maintenance of a wireless communication antenna, and located on the same site as the wireless communication antenna.
8. **Greenway.** **A linear open space that connects parklands, improves recreational opportunities, and aids in the protection of wildlife and scenic regions. Greenways regulated by this ordinance are the responsibility of the Indianapolis Department of Parks and Recreation, as outlined in the Indianapolis City Code, Chapter 241, and shall include the corridors described in the Indianapolis Greenways Plan.**
89. *Highpower electric transmission line.* A line segment in an electric utility system having an operating voltage of 69,000 volts or greater.
910. *Protected district.* Specific classes of zoning districts which, because of their low intensity or the sensitive land uses permitted by them, require additional buffering and separation when abutted by certain more intense classifications of land use. For purposes of this Ordinance, a

protected district shall include any Dwelling District, Hospital District, Parks District, University Quarter District, SU-1 (Church) District, or SU-2 (School District).

- ~~4011.~~ *Right-of-way.* Specific and particularly described strip of land, property, or interest therein devoted to and subject to the lawful use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities, as officially recorded by the office of the Marion County Recorder.
- ~~4112.~~ *Structure.* A combination or manipulation of materials to form a construction, erection, alteration or affixation for use, occupancy, or ornamentation, whether located or installed on, above, or below the surface of land or water.
- ~~4213.~~ *Sign.* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.
- ~~4314.~~ *Sign structure.* Any structure, including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.
- ~~4415.~~ *Tower.* A structure designed and intended to support one or more antennae. This term includes lattice-type structures, either guyed or self supporting, and monopoles, which are self-supporting pole-type structures, tapering from base to top and supporting a fixture designed to hold one or more antennae.
- ~~4516.~~ *Utility pole.* Any pole or structure utilized for electric, telephone, telegraph, cable television, radio, microwave, television services, street lights, other lighting standards, or comparable purposes.
- ~~4617.~~ *Wireless communications facility (WCF).* Any facility used by a licensed commercial wireless telecommunications provider to provide service, including, but not limited to cellular, personal communication services, specialized mobilized radio, enhanced specialized mobilized radio, paging, and other similar services that are marketed to the general public.
- ~~4718.~~ *WCF design package.* Information used to portray all visual aspects of wireless communications facilities, and the apparatus needed to attach it to a structure, including, but not limited to, dimensions, colors, and materials.

CHAPTER 5.00 STANDARDS OF ADMINISTRATOR'S APPROVAL

Where the Administrator has been given the authority to review and approve certain aspects of WCF, the following standards shall be considered:

1. The visual impact of the proposed WCF on the adjacent properties, and the community, as a whole.
2. The recommendations of the Comprehensive Plan or the most recently adopted Neighborhood Plan for the site in question.
3. Current trends in the WCF industry and their potential impact on the community.
4. Consistency with other designs approved in other areas of the City.
5. Compliance with the Telecommunications Act of 1996.
6. Necessary or desirable infrastructure requirements of the community.

The Administrator's decision may be appealed in accordance with the provisions of the Rules of Procedure of the Board of Zoning Appeals.

CHAPTER 6.00 EXCLUDED CITIES

Prior to applying for an Improvement Location Permit (ILP) for a WCF in an excluded city, the WCF provider shall provide a written letter to the excluded city, indicating their intent. The letter shall

August 3, 1998

be mailed at least 5 days prior to applying for the ILP, and shall include the proposed location, type, and design of the WCF, and a contact person for the WCF provider. The WCF provider shall submit a copy of the letter, and proof of mailing with the application for the ILP.

CHAPTER 7.00

Sec. 7.10. Severability. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Sec. 7.20. Compliance. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

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 several times. 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). By a 5-0 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. 302, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Tilford

2 ABSENT: Massie, Smith

Proposal No. 302, 1998 was retitled GENERAL ORDINANCE NO. 112, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1998

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 98-AO-4

AN ORDINANCE to amend certain sections of: A. the Revised Code of the Consolidated City and County; and, B. 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 Dwelling Districts Zoning Ordinance of Marion County, Indiana, Revised Code of the Consolidated City and County, Chapter 731 (adopted under Metropolitan Development Commission docket numbers 89-AO-2, 90-AO-3, 92-AO-1, 92-AO-3, 93-AO-4, 95-AO-1, 95-AO-8, 96-AO-4, 97-AO-2, 97-AO-3, and 97-AO-13), as amended, pursuant to IC 36-7-4 be amended as follows:

- A. That Section 2.00, A be amended by adding the new underscored language as follows:

11. Wireless Communication Facility.

In any Dwelling District, a wireless communication facility, (as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-I, as amended), is permitted.

SECTION 2. The Commercial Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part 12 (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-I, 96-AO-4, 97-AO-5, and 97-AO-I3), as amended, pursuant to IC 36-7-4 be amended as follows:

- A. That Section 2.00, A be amended by adding the new underscored language as follows:

10. Wireless Communication Facility.

In any Commercial District, a wireless communication facility, (as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-I, as amended), is permitted.

SECTION 3. The Central Business District Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part 2 (adopted under Metropolitan Development Commission docket numbers 64-AO-I, 81-AO-4, 93-AO-I, 94-AO-I, 95-AO-4, 96-AO-4, 97-AO-6, and 97-AO-I3), as amended, pursuant to IC 36-7-4 be amended as follows:

- A. That Section 2.00 be amended by adding the new underscored language as follows:

6. Wireless Communication Facility.

In any Central Business District, a wireless communication facility, (as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-I, as amended), is permitted.

SECTION 4. THE INDUSTRIAL ZONING ORDINANCE of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part 1 (adopted under Metropolitan Development Commission docket numbers 63-AO-4, 67-AO-7, 73-AO-2, 80-AO-3, 96-AO-3, 96-AO-4, and 97-AO-I3), as amended, pursuant to IC 36-7-4 be amended as follows:

- A. That Section 2.01, A (I-I-S and U Districts), be amended by adding the following language:

20. *Wireless Communication Facility*, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-I, as amended.

SECTION 5. The Special Districts Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, Part 7 (adopted under Metropolitan Development Commission docket numbers 94-AO-3, 95-AO-3, 95-AO-I2, 96-AO-I, 96-AO-4, and 97-AO-I3), as amended, pursuant to IC 36-7-4 be amended as follows:

- A. That Section 1.00, B (Establishment of Special Use Districts - Permitted Uses), be amended by adding the underscored language as follows:

Including for each said district:

1. *Accessory Uses And Structures*, subordinate, appropriate and incidental to the above permitted primary uses.
2. *Wireless Communication Facility*, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-I, as amended.

- B. That Section 2.01, A, 1 be amended by adding the underscored language as follows:

1. Park District One (PK-1) Uses

Public playgrounds, play fields, ball fields, ball courts, tennis courts, spray or wading pools, outdoor swimming pools, ice skating, picnicking, boating, fishing, wild life refuges, botanical gardens, arboreta, scenic areas, greenways, bridle paths, hiking and bicycle trails, and such other primary park or recreational uses, or uses incidental and accessory thereto, as are included within any site and development plan filed with and approved by the Commission as hereinafter provided.

Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

C. That Section 2.01, A, 2 (PK-2 District), be amended by adding the underscored language and deleting the stricken language as follows:

g. Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

gh. Any other appropriate planned land use, complex or combination of land uses.

D. That Section 2.02, A, 1 (HD-1 District), be amended by adding the underscored language and deleting the stricken language as follows:

g. Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

gh. Other similar uses and facilities.

E. That Section 2.02, A, 2 (HD-2 District), be amended by adding the underscored language and deleting the stricken language as follows:

g. Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

gh. Other similar hospital-related or oriented uses.

F. That Section 2.03, A, 1 (UQ-1 District), be amended by adding the underscored language as follows:

1. Permitted University Quarter One (UQ-1) Uses

University Uses, provided, however, prior to the issuance of an Improvement Location Permit for any use, structure, building or development within the UQ-1 DISTRICT, the Commission's approval shall be required unless enumerated in Section 2.03, D (Specific Exemptions - Administrator's Approval).

Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

The petition for such UQ-1 approval shall include a site and development plan.

G. That Section 2.03, A, 2 (UQ-2[B] District), be amended by adding the underscored language as follows:

2. Permitted University Quarter Two (Butler University) (UQ-2[B]) Uses

a. Any Use Permitted In The D-5 Dwelling District, subject to all standards, requirements and regulations of Section 2.07 of the Dwelling Districts Zoning Ordinance (D-5 Dwelling District Five Regulations), 89-AO-2, as amended. Neither Commission nor Administrator's Approval shall be required for permitted uses in this district, so long as all standards of the Dwelling Districts Zoning Ordinance for D-5 District development are satisfied.

- b. University-Related Group Dwelling Use (dormitory or fraternal organization) providing residence solely for university students or faculty. Provided however, such University-Related Group Dwelling Use shall be subject to the Commission's approval, as hereinafter provided, unless enumerated in Section 2.03, D (Specific Exemptions - Administrator's Approval), and subject to the development standards of Section 2.03, F.
- c. Wireless Communication Facility, as defined in, and subject to the additional regulations of, the Wireless Communications Zoning Ordinance of Marion County, Indiana, 98-AO-1, as amended.

The petition for UQ-2(B) UNIVERSITY-RELATED GROUP DWELLING USE approval shall include a site and development plan.

H. That Section 2.04, F be amended by adding the underscored language and deleting the stricken language as follows:

F. Development standards

In addition to the site and development requirements of Section 2.04, B, 2, all uses permitted within the SPECIAL USE DISTRICTS shall be administratively reviewed (as noted in Section 2.04, A, 1), using as an administrative guide, the development standards applicable to the specified DISTRICT as follows:

<u>SPECIAL USE ZONING DISTRICT</u>	<u>APPLICABLE DISTRICT FOR DEVELOPMENT STANDARDS REVIEW</u>
SU-1	C-1
SU-2	C-1
SU-3	C-5
SU-5	1-2-S
SU-6	C-2
SU-7	C-2
SU-8	C-2
SU-9	C-1
SU-10	C-1
SU-13	(As per Section 2.04, G)
SU-16	C-5
SU-18	1-1-S
SU-20	C-1
SU-23	1-5-S 1-4-S
SU-28	1-4-S
SU-34	C-3
SU-35	1-2-S
SU-37	C-1
SU-38	C-3
SU-39	C-1
SU-41	1-5-S 1-4-S
SU-42	C-1 (And as per Section 2.04, H)
SU-43	1-1-S
SU-44	C-3 (G.O. 92, 1994) (And as per Section 2.04, I)

SECTION 5. 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 severable.

SECTION 6. Attestation.

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 467, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 467, 1998 on July 29, 1998. The proposal, sponsored by Councillors Dowden, McClamroch, and Talley, approves a transfer of \$316,650 in the 1998 Budget of the Marion County Superior Court, Juvenile Division (County Construction Fund) transferring various appropriations within the grant for the construction of the alternative school. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Talley introduced J.T. Ferguson, Jr., who will be the Executive Director of the new alternative school.

Councillor Williams asked if the school is slated to be open in its temporary location this year. Councillor Dowden stated that it will be open this year.

Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 467, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 467, 1998 was retitled FISCAL ORDINANCE NO. 111, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Three Hundred Sixteen Thousand Six Hundred Fifty Dollars (\$316,650) in the County Construction Fund for purposes of the Marion County Superior Court, Juvenile Division and County Auditor and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,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 and County Auditor to transfer various appropriations within the grant for the construction of the alternative school.

SECTION 2. The sum of Three Hundred Sixteen Thousand Six Hundred Fifty Dollars (\$316,650) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CONSTRUCTION FUND</u>
1. Personal Services - fringes	28,606
 <u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	121,394
2. Supplies	6,250
3. Other Services and Charges	<u>160,400</u>
TOTAL INCREASE	316,650

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY CONSTRUCTION FUND</u>
4. Capital Outlay	<u>316,650</u>
TOTAL DECREASE	316,650

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

PROPOSAL NO. 468, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 468, 1998 on July 29, 1998. The proposal approves a transfer of \$239,000 in the 1998 Budget of the Marion County Public Defender Agency (County General Fund) to cover the increase in full time positions through 1998 and to fund one new secretary and two receptionists/transcribers funded by a decrease in other services and charges. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 468, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 468, 1998 was retitled FISCAL ORDINANCE NO. 112, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Two Hundred Thirty-nine Thousand Dollars (\$239,000) in the County General Fund for purposes of the Marion County Public Defender Agency and County Auditor and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,u) 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 Public Defender Agency and County Auditor to cover the increase in full time positions through 1998 and to fund one new secretary and two receptionists/transcribers.

SECTION 2. The sum of Two Hundred Thirty-nine Thousand Dollars (\$239,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - fringes	14,295
 <u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	<u>224,705</u>
TOTAL INCREASE	239,000

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

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>239,000</u>
TOTAL DECREASE	239,000

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

PROPOSAL NO. 331, 1998. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 331, 1998 on May 27, July 1, and July 22, 1998. The proposal, sponsored by Councillor Jones, authorizes a change in rush hour parking restrictions for 10th Street from Sherman Drive to Arlington Avenue (Districts 10, 12, 13, 15). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor Jones, to strike. Proposal No. 331, 1998 was stricken by a unanimous voice vote.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 472, 473, and 475-483, 1998 on July 22, 1998. He asked for consent to vote on Proposal Nos. 472, 473, and 475-479, 1998 together. Consent was given.

PROPOSAL NO. 472, 1998. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 51st Street and Kingsley Drive (District 6). PROPOSAL NO. 473, 1998. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 48th Street and Broadway Street (District 6). PROPOSAL NO. 475, 1998. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Foltz Street and Ironton Street (District 17). PROPOSAL NO. 476, 1998. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Oliver Avenue and Rybolt Avenue (District 17). PROPOSAL NO. 477, 1998. The proposal, sponsored by Councillor Massie, authorizes an intersection control at New Jersey Street and Werges Avenue (District 20). PROPOSAL NO. 478, 1998. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at Rhake Road and Wrangler Court (District 25). PROPOSAL NO. 479, 1998. The proposal, sponsored by Councillor Gilmer, authorizes an intersection control at 84th Street and Bearing Drive (District 1). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal Nos. 472, 473, and 475-479, 1998 were adopted on the following roll call vote; viz:

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

Proposal No. 472, 1998 was retitled GENERAL ORDINANCE NO. 113, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	51st St, Kingsley Dr	Kingsley Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	51st St, Kingsley Dr	None	All Way Stop

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

Proposal No. 473, 1998 was retitled GENERAL ORDINANCE NO. 114, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Broadway St, 48th St	Broadway St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Broadway St, 48th St	None	All Way Stop

August 3, 1998

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

Proposal No. 475, 1998 was retitled GENERAL ORDINANCE NO. 115, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Foltz St, Ironton St	Ironton St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Foltz St, Ironton St	Ironton St	All Way Stop

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

Proposal No. 476, 1998 was retitled GENERAL ORDINANCE NO. 116, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Oliver Av, Rybolt Av	Oliver Av	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Oliver Av, Rybolt Av	None	All Way Stop

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

Proposal No. 477, 1998 was retitled GENERAL ORDINANCE NO. 117, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39	New Jersey St, Werges Av	New Jersey St	Stop

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

Proposal No. 478, 1998 was retitled GENERAL ORDINANCE NO. 118, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Rhake Rd, Wrangler Ct	Rhake Rd	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Rhake Rd, Wrangler Ct, South Creek Dr S	None	All Way Stop

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

Proposal No. 479, 1998 was retitled GENERAL ORDINANCE NO. 119, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2	84th St, Bearing Dr	Bearing Dr	Stop

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

PROPOSAL NO. 480, 1998. The proposal, sponsored by Councillor Gilmer, authorizes a weight limit restriction for Conarroe Road from 79th Street to 86th Street (District 1). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 480, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 480, 1998 was retitled GENERAL ORDINANCE NO. 120, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS

Conarroe Road,
from 79th Street to 86th Street

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

PROPOSAL NO. 481, 1998. The proposal, sponsored by Councillor Massie, authorizes parking restrictions on Old Madison Avenue between Raymond Street and LeGrande Avenue (District 19). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 481, 1998 was adopted on the following roll call vote; viz:

24 YEAS: Black, Borst, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Williams

0 NAYS:

3 NOT VOTING: Boyd, Coonrod, Tilford

2 ABSENT: Massie, Smith

Proposal No. 481, 1998 was retitled GENERAL ORDINANCE NO. 121, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Old Madison Avenue, on the east side,
from LeGrande Avenue to a point 50 feet south of LeGrande Avenue

Old Madison Avenue, on the east side,
from Raymond Street to a point 100 feet north of Raymond Street

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

PROPOSAL NO. 482, 1998. The proposal, sponsored by Councillor Dowden, authorizes parking restrictions on Hague Road from Fall Creek Road to 96th Street (District 4). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Dowden, for adoption. Proposal No. 482, 1998 was adopted on the following roll call vote; viz:

August 3, 1998

21 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Talley

0 NAYS:

6 NOT VOTING: Coonrod, Dowden, Gray, Schneider, Tilford, Williams

2 ABSENT: Massie, Smith

Proposal No. 482, 1998 was retitled GENERAL ORDINANCE NO. 122, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Hague Road, on both sides,
from Fall Creek Road to 96th Street

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

PROPOSAL NO. 483, 1998. The proposal, sponsored by Councillor Jones, authorizes parking restrictions on Caroline Avenue south of 30th Street (Districts 10, 11). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 483, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Coonrod, Schneider, Short, Tilford

2 ABSENT: Massie, Smith

Proposal No. 483, 1998 was retitled GENERAL ORDINANCE NO. 123, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 1998

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Caroline Avenue, on both sides,
from 30th Street to a point 105 feet south of 30th Street

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

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

The President convened the Police Special Service District Council.

PROPOSAL NO. 464, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 464, 1998 on July 29, 1998. The proposal approves an increase of \$251,593 in the 1998 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to upgrade the Live Scan equipment funded by federal grants through the Indiana Criminal Justice Institute. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 464, 1998 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Dowden, Golc, Gray, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short

0 NAYS:

6 NOT VOTING: Coonrod, Franklin, Gilmer, Talley, Tilford, Williams

2 ABSENT: Massie, Smith

Proposal No. 464, 1998 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 1998, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 1998

A FISCAL ORDINANCE amending the City-County Police Special Service District Annual Budget for 1998 (City-County Police Special Service District Fiscal Ordinance No. 2, 1997) appropriating an additional Two Hundred Fifty-one Thousand Five Hundred Ninety-three Dollars (\$251,593) 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, Section 1.01 of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to upgrade the Live Scan equipment.

SECTION 2. The sum of Two Hundred Fifty-one Thousand Five Hundred Ninety-three Dollars (\$251,593) 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.

August 3, 1998

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

3. Other Services and Charges
4. Capital Outlay
TOTAL INCREASE

FEDERAL GRANTS FUND

17,797
233,796
251,593

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

Unappropriated and Unencumbered
Federal Grants Fund
TOTAL REDUCTION

FEDERAL GRANTS FUND

251,593
251,593

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:30 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 3rd day of August, 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)