

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

**REGULAR MEETINGS
MONDAY, JANUARY 4, 1999**

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 7:16 p.m. on Monday, January 4, 1999, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

ORGANIZATION OF COUNCIL

Selection of Temporary Presiding Officer

The President asked for consent to appoint Robert G. Elrod, Parliamentarian, as the temporary chairman of the meeting. Consent was given. The President passed the gavel to Mr. Elrod.

Election of Officers

Mr. Elrod opened the floor for nominations for President of the Council. Councillor Gilmer nominated Councillor SerVaas for President. Councillor Curry seconded the nomination. Councillor Short moved, seconded by Councillor Moores, to close nominations. Nominations were closed by a unanimous voice vote, thereby electing Councillor SerVaas as President.

Mr. Elrod opened the floor for nominations for Vice President of the Council. Councillor Dowden nominated Councillor McClamroch for Vice President. Councillor Schneider seconded the nomination. Councillor Short moved, seconded by Councillor Gilmer, to close nominations. Nominations were closed by a voice vote, thereby electing Councillor McClamroch as Vice President.

Mr. Elrod opened the floor for nominations for Clerk of the Council. Councillor Coughenour nominated Suellen Hart for Clerk of the Council. Councillor Black seconded the nomination. Councillor Short moved, seconded by Councillor Massie, to close nominations. Nominations were closed by a unanimous voice vote, thereby electing Suellen Hart as Clerk of the Council.

Mr. Elrod returned the gavel to President SerVaas.

Certification of Caucus Leaders

The President stated that he has certifications that Councillor McClamroch has been selected as leader of the Republican Caucus, and Councillor Boyd has been selected as leader of the Democratic Caucus.

President SerVaas, Councillor McClamroch, and Councillor Boyd voiced their appreciation to the Council for their support.

OFFICIAL COMMUNICATIONS

Councillor Boyd asked for the support of the public and fellow Councillors in an anti-hate effort being conducted by the Greater Indianapolis Progress Committee (GIPC) in response to a Ku Klux Klan rally to be held in Indianapolis on January 9, 1999. He stated that while he recognizes the rights of free speech, he asks citizens not to be supportive of such hate mentality as the Ku Klux Klan promotes. He introduced Dave Coates, Executive Director of GIPC. Mr. Coates stated that the museums of Indianapolis, including the Indianapolis Zoo, will be open to the public free of charge on Saturday, January 9, 1999, to celebrate the richness of cultures in the City. He added that the YMCA has just today agreed to participate on an equal basis with free open houses at all branches in the City on January 9, 1999, in order to provide alternative activities for citizens to engage in instead of attending such a rally. He thanked the Council for their support in these efforts. Councillors Moores and McClamroch stated that they applaud the efforts of GIPC to focus on the positive instead of the negative in the community.

Reappointment of Senior Staff

Councillor Curry moved, seconded by Councillor Gilmer, to reappoint the following senior staff members:

General Counsel: Robert G. Elrod
Chief Financial Officer: Stuart Rhodes
Research Director: Max L. Moser
Assistant Clerks: Ava Earles and Peggy Stawick

The senior staff members were reappointed by a unanimous voice vote.

OFFICIAL COMMUNICATIONS

Councillor Coughenour recognized Dennis Neidigh, Director of the Departments of Capital Asset Management and Public Works. Mr. Neidigh introduced some of the City employees working twelve-hour shifts to provide snow removal and safe streets for the citizens of Indianapolis during the latest onslaught of weather: Art Thomas, Mike Dale, Bill Ballard, Paul Sleger, David Gibson, Larry Polk. He also recognized the efforts of Union Local 725, and introduced vice presidents Jerry Richmond and Lennie Addair. He stated that he is impressed with the professionalism and dedication of Public Works employees and thanked the Council for approving the financing for salt and equipment that makes the staff's efforts worthwhile. Mr. Thomas thanked the Council for the recognition and for providing the staff with the best equipment money can buy. He stated that the staff's tireless effort and dedication to snow removal is outstanding, and the partnership with the local union helps the staff to overcome otherwise insurmountable obstacles. He also recognized Gary Vandergriff, the director of the snow removal efforts. Mr. Richmond also thanked the Parks Department, Indianapolis Fleet Services, and the White River Environmental Partnership for their contributions to the snow fighting effort. Mr. Neidigh recognized Chuck Snyder, the Chief Operations Director for the Department of Public Works. Councillors Tilford and Black commended the efforts of these diligent workers.

Indianapolis Downtown, Inc.

Councillor Short listed the accomplishments of Indianapolis Downtown, Inc. (IDI) since its formation six years ago. He stated that he and Councillor Moores were appointed as representatives to serve on the board of IDI, and the goal is to continue the momentum that has been evident these last six years. He introduced Tamara Zahn, Executive Director of IDI. Ms. Zahn thanked the Council for their vision and commitment to the downtown area. She stated that she is here to present new decor options for Monument Circle's "World's Largest Christmas Tree," as technicians have advised that the 36-year-old strands of lights need to be replaced to prevent fire hazards. She stated that beginning today and lasting until next Monday, January 11, 1999, IDI is conducting a survey to gain public input as to which new decor option to institute. She stated that the public can vote by picking up ballots at any of the Simon Debartolo-owned malls, filling out forms in the *Indianapolis Star and News*, the *Recorder*, or *Up! Downtown*, or by visiting www.worldslargestchristmas.com on the internet to cast a ballot. She stated that all information will be presented to a steering committee which will choose the new decor based on public input, cost, technical requirements, and sensitivity to the monument. She explained the five decor options: 1) no decor, no cost; 2) same tree decor - replace lights, minimum cost; 3) new tree decor, modest cost; 4) same tree decor, new look for surrounding area, modest cost; and

5) same tree decor, new look for surrounding area, maximum cost. She also asked for input on the name of the decor, should the City choose to change it from the "World's Largest Christmas Tree." She emphasized that the Celebration of Lights and the lighting of the World's Largest Christmas Tree have always been free and are not supported by tax dollars. Private corporations and individuals help cover the cost of the event and decorating the tree.

Councillor Cockrum asked if anyone has ever challenged the City's claim to having the world's largest Christmas tree. Ms. Zahn stated that there are some trees that are actually taller, but when taking into account the width and circumference of Monument Circle's tree, there are none reported as larger. She added that plans are being made to construct a tree at the Eiffel Tower for a millenium celebration which may challenge that title.

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, January 4, 1999, 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

December 18, 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. 161, 1998 - approves an increase of \$2,700 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for additional funding to Breaking Free funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 162, 1998 - authorizes tax anticipation borrowing for the City during the period from January 1, 1999, through December 31, 1999

FISCAL ORDINANCE NO. 163, 1998 - authorizes tax anticipation borrowing for the County General Fund, the County Family and Children's Fund, and the County Welfare Fund during the period from January 1, 1999, through December 31, 1999

FISCAL ORDINANCE NO. 164, 1998 - approves an increase of \$162,825 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund a grant to the Family Advocacy Center for domestic violence and protective order advocates and other expenses funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 165, 1998 - approves an increase of \$117,674 in the 1998 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund a grant to the Family Advocacy Center for domestic violence advocates, a child interviewer, a family resource coordinator, and other expenses funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 167, 1998 - approves a transfer of \$93,750 in the 1998 Budget of the Clerk of the Circuit Court (County General Fund) to pay contractual expenses for the balance of 1998

January 4, 1999

GENERAL ORDINANCE NO. 172, 1998 - increases the amount of the surety bond purchased for the County Recorder from \$8,500 to \$60,000

GENERAL RESOLUTION NO. 21, 1998 - approves and authorizes execution of an agreement between the City of Indianapolis and the City of Lawrence for the treatment and disposal of sewage and wastewater

SPECIAL RESOLUTION NO. 53, 1998 - recognizes the public service of Bernard J. "Bud" Gohmann, Jr.

SPECIAL RESOLUTION NO. 54, 1998 - recognizes the public service of William G. Lantz, III

SPECIAL RESOLUTION NO. 55, 1998 - recognizes the Cathedral High School state football champions

SPECIAL RESOLUTION NO. 56, 1998 - recognizes the Franklin Central High School state champion cross-country team

SPECIAL RESOLUTION NO. 57, 1998 - recognizes Public Works Director Ted Rhinehart

SPECIAL RESOLUTION NO. 58, 1998 - recognizes Sheriff's Department Deputy Chief Michael J. Hoak

SPECIAL RESOLUTION NO. 59, 1998 - concerns WTLC-AM and FM radio

SPECIAL RESOLUTION NO. 60, 1998 - recognizes volunteer coaches Garlan Davis and Andre Thomas

SPECIAL RESOLUTION NO. 61, 1998 - an inducement resolution for Southern Apartment Specialists, Inc., or a to-be-formed entity, in an amount not to exceed \$12,800,000 to be used for the acquisition and renovation of the existing 238-unit Vantage Point Apartments located at 4475 Allisonville Road (Southern Apartment Specialists, Inc. Project) (District 11)

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 December 14, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 38, 1999. The proposal, sponsored by Councillors Coughenour and Williams, recognizes students April Sparks and Briana Underwood for their participation in the National League of Cities' Congress of Cities. Councillor Williams read the proposal and presented Ms. Sparks and Ms. Underwood with copies of the document and Council pins. Councillor Coughenour congratulated Ms. Sparks and Ms. Underwood for their achievements and wished them success in future endeavors. Ms. Sparks and Ms. Underwood thanked their schools, teachers, principals, and families for their support and the opportunity to represent the City, and thanked the Council for this recognition. Councillor Williams moved, seconded by Councillor Coughenour, for adoption. Proposal No. 38, 1999 was adopted by a unanimous voice vote.

Proposal No. 38, 1999 was retitled SPECIAL RESOLUTION NO. 1, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1999

A SPECIAL RESOLUTION recognizing students April Sparks and Briana Underwood for their participation in the National League of Cities' Congress of Cities.

WHEREAS, one hundred young people from around the nation attended as fully-participating delegates at this year's National League of Cities convention in Kansas City; and

WHEREAS, representing Indianapolis very well at the NLC's Congress of Cities convention were seniors April Sparks of Broad Ripple High School and Briana Underwood of Southport High School; and

WHEREAS, both students have a wealth of local involvement and leadership experiences: April has been a deacon at her Westminster Presbyterian Church, has been in eleven school plays, has done volunteer work at Wheeler Mission and has been involved with Planned Parenthood of Central Indiana classes; Briana is a member of the Southport High School symphony orchestra and the Circle City Youth Symphony, she has been a member of the color guard and the National Honor Society, is president of the Southport Has A Positive Environment (SHAPE) which is the drug free club that has an accountability contract between members, and she plans to attend Indiana University or Hanover College to major in medicine and minor in business; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends the National League of Cities for its vision of youth, education and families, and for local high school seniors April Sparks and Briana Underwood for their initiative and motivation here at home in Indianapolis and as the first-ever youth delegates at the Congress of Cities.

SECTION 2. The Council wishes April and Briana well in the future, and hopes that this generational dialogue will expand throughout Indianapolis and across America.

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. 39, 1999. The proposal, sponsored by Councillor Dowden, recognizes the public service of John R. von Arx. Councillor Dowden read the proposal and presented Mr. von Arx, his wife Julie, and his sons Jeff and John with a copy of the document and Council pins. Councillor McClamroch thanked Mr. von Arx for his service and his contributions to making Marion County a better community. Dan Jones, Budget Manager, Auditor's Office, stated that County Auditor Marty Womacks could not be present due to surgery, but that on behalf of the Auditor's staff, he wishes Mr. von Arx well and recognized him for instituting the first national budget award received by this City. William H. Lantz, III, former Deputy Auditor now working for the State Budget Agency, stated that Mr. von Arx is a fine man and was a pleasure to work for, always bringing out the best in his staff. Mr. von Arx thanked the Council for this recognition and thanked his family for their support. He also thanked the Auditor's Office staff, his predecessor Councillor Coonrod and successor Marty Womacks, the Council staff, and Council members for helping to make his job easier and bring success to County efforts. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 39, 1999 was adopted by a unanimous voice vote.

Proposal No. 39, 1999 was retitled SPECIAL RESOLUTION NO. 2, 1999, and reads as follows:

January 4, 1999

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1999

A SPECIAL RESOLUTION recognizing the public service of John R. von Arx.

WHEREAS, John von Arx served as Marion County Auditor from the late 1980's through November, 1998; and

WHEREAS, he assembled around him a top-notch staff, and during those years his office tackled many tough issues such as a financial crisis in the Center Township Trustee's Office, the state-run but locally-funded public welfare borrowing problem, funding for the needed jail expansion, ever-increasing requirements of the judicial branch of government and increases for county law enforcement; and

WHEREAS, John and his staff capably addressed these and other challenges that come with the job as the gatekeeper office of the county budget; and

WHEREAS, under his watch, John maintained a high sense of duty and leadership, was keen to quickly size up a problem and shop for options and solutions, and was able to hold the line on property tax rates; 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 dedicated public service of Marion County Auditor John von Arx.

SECTION 2. The people of this city and county have been well served by this official, and wish John and Julie von Arx and their children the very best in the years to come.

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.

President SerVaas stated that Council members have before them a draft of a Special Resolution that is being offered by Councillor Boyd. He asked for consent to place this drafted proposal on the agenda. Consent was given.

PROPOSAL NO. 40, 1999. The proposal, sponsored by Councillors Boyd, McClamroch, and SerVaas, proclaims the week of January 9 through January 18, 1999, as *We Stand Together Week*. Councillor Boyd read the proposal and moved for its adoption. Councillor McClamroch seconded the motion, and Proposal No. 40, 1999 was adopted by a unanimous voice vote.

Proposal No. 40, 1999 was retitled SPECIAL RESOLUTION NO. 3, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1999

A SPECIAL RESOLUTION proclaiming the week of January 9 through January 18, 1999, as *We Stand Together Week*.

WHEREAS, the City of Indianapolis is a diverse community of races, ethnic groups, cultures, religions, ages, creeds, abilities, and orientations; and

WHEREAS, the citizens of Indianapolis take pride in the diversity of their community and the value, the dignity and worth of all people; and

WHEREAS, the Greater Indianapolis Progress Committee, its Race Relations Leadership Network, groups like the Coalition of Racial Reconciliation, other community organizations and individuals stand

together in supporting those persons and groups engaged in activities which build community and foster mutual respect; and

WHEREAS, while we recognize the constitutional right of any organization to freedom of speech and expression, we deplore the message and tactics of the Ku Klux Klan and other hate groups and we state forthrightly that they do not speak for us or for the Greater Indianapolis community; and

WHEREAS, the Children's Museum of Indianapolis, the Indianapolis Museum of Art, the Eiteljorg Museum, Ransom Place Heritage Museum, Conner Prairie, and the Indianapolis Zoo invite the citizens of Greater Indianapolis to come on January 9, 1999, and explore, free of charge, the breadth and depth of the cultural amenities that Indianapolis has to offer; now, therefore:

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

SECTION 1. The City-County Council hereby proclaims the week of January 9 through January 18, 1999, as *We Stand Together Week* in the City of Indianapolis and call upon all citizens to take due notice by observing the said week with the displaying of a yellow ribbon.

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

Councillor McClamroch stated that the Public Safety and Criminal Justice Committee heard Proposal Nos. 748 and 749, 1998 on December 16, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 748, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Tina Bussell to the Citizens Police Complaint Board. PROPOSAL NO. 749, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Bruce Laetsch to the Citizens Police Complaint Board. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor McClamroch moved, seconded by Councillor Talley, for adoption. Proposal Nos. 748 and 749, 1998 were adopted by a unanimous voice vote.

Proposal No. 748, 1998 was retitled COUNCIL RESOLUTION NO. 1, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1999

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

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

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

Tina Bussell

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

Proposal No. 749, 1998 was retitled COUNCIL RESOLUTION NO. 2, 1999, and reads as follows:

January 4, 1999

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1999

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

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

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

Bruce Laetsch

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

PROPOSAL NO. 12, 1999. The proposal, sponsored by Councillor McClamroch, appoints William B. Greenwald to the Common Construction Wage Committee for Decatur Township. Councillor McClamroch moved, seconded by Councillor Curry, to assign Proposal No. 12, 1999 to the Rules and Public Policy Committee. Proposal No. 12, 1999 was assigned to the Rules and Public Policy Committee by a unanimous voice vote.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 1, 1999. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$75,000 in the 1999 Budget of Voter's Registration (County General Fund) to upgrade the imaging system to be year 2000 compliant and upgrade other computer hardware"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 2, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Beech Grove for the enforcement of ordinance violations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 3, 1999. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Lawrence for the enforcement of ordinance violations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 4, 1999. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Interlocal Cooperation Agreement between the City of Indianapolis and the City of Southport for the enforcement of ordinance violations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 5, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Interlocal Cooperation Agreement between the City of Indianapolis and the Town of Speedway for the enforcement of ordinance violations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 6, 1999. Introduced by Councillors Shambaugh and Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves the creation and establishment of the nonreverting Park Endowment Maintenance Fund for maintenance of the public parks"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 7, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$354,928 in the 1999 Budget of the Marion Superior Court, Juvenile Division (Juvenile Court Alternative School Services Fund) to fund the operation of the alternative school for the first six months of 1999"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 8, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$40,625 in the 1999 Budget of the Marion Superior Court (Supplemental Adult Probation Fees Fund) to fund the employment of a training officer in the Adult Probation Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 9, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$78,000 in the 1999 budget of the Marion Superior Court (Alcohol and Drug Services Fund) to appropriate annual funding for payment of the cost of court ordered probation referrals to the Mothers Against Drunk Driving - Victim Impact Panel"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 10, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$434,455 in the 1999 Budget of the Marion County Justice Agency (Drug Free Community Fund) to provide treatment, prevention, and justice programs which promote comprehensive local alcohol and drug abuse prevention initiatives"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 11, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the City to execute a Third Supplemental Trust Indenture (Ogden Martin Systems of Indianapolis, Inc. Project)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 13, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Robert Spear to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 14, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints C. Eugene Hendricks to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 15, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Randolph L. Snyder to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 16, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 17, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joanna Walker to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 18, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joe M. Rink to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 19, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ray Wallace to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 20, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 21, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints James Caughey to the Beech Grove Public Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 22, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Philip C. Borst to the Capital Improvement Board of Managers"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 23, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Scott Fitzgerald to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 24, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ken Giffin to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 25, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints George Taylor to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 26, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Carlton Curry to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 27, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Charles Hiltunen to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 28, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints James W. Scott to the Indianapolis Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 29, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Paul Jones to the Urban Enterprise Association"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 30, 1999. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Felicia Triggs to the Urban Enterprise Association"; and the President referred it to the Economic Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 31, 1999 and PROPOSAL NOS. 32-37, 1999. Introduced by Councillor Hinkle. Proposal No. 31, 1999 and Proposal Nos. 32-37, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 4, 1999. 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. 1-7, 1999, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 1, 1999.

98-Z-181

5396 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

KIRKPATRICK COMPANIES, by Thomas M. Quinn, requests a rezoning of 5.885 acres being in the C-4 District, to the C-S classification to provide for a self-storage facility and one outlot to be used for C-4 uses.

REZONING ORDINANCE NO. 2, 1999.

98-Z-195 (98-DP-24) (Amended)

5214 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

2ND MANAGEMENT, INC., by Raymond Good, requests a rezoning of 3.1 acres, being in the D-A District, to the D-P classification to provide for a seniors only residential facility, consisting of 11 duplex buildings (22 units).

REZONING ORDINANCE NO. 3, 1999.

98-Z-223

2301 NORTH PARK STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

ST. VINCENT HOSPITAL AND HEALTH CARE CENTER requests a rezoning of 2.53 acres, being in the SU-2 District, to the SU-7 classification to provide for a private educational, community, and health resource center.

REZONING ORDINANCE NO. 4, 1999.

98-Z-238

3313 SOUTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #23

GLOBAL PROPERTIES, LLC., by Stephen D. Mears, requests a rezoning of 9.28 acres, being in the D-A District, to the I-2-S classification to provide for the development of light industrial uses.

REZONING ORDINANCE NO. 5, 1999.

98-Z-243(A)

2101 CHURCHMAN AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

NEW CROWN CEMETERY requests a rezoning of a 3.6 acre parcel, being in the DA District, to the SU-10 classification to provide for the expansion of the existing New Crown Cemetery.

REZONING ORDINANCE NO. 6, 1999.

98-Z-243(B)

2101 CHURCHMAN AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

NEW CROWN CEMETERY requests a rezoning a 2.9 acre parcel, being in the C-1 and D-5 District, to the SU-10 classification to provide for the expansion of the existing New Crown Cemetery.

REZONING ORDINANCE NO. 7, 1999.

98-Z-249

4504 & 4550 SOUTH HARDING STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

BLUE BEACON requests a rezoning of 2.44 acres, being in the C-5 (FF) District, to the C-7 (FF) classification to provide for a commercial truck wash facility.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 675, 1998. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 675, 1998 on November 16, 1998. The proposal was postponed in Council on November 23, 1998 and received an indecisive vote on December 14, 1998. The proposal approves the 1999 Consolidated Annual Plan and the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Block Grant Funds. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle stated that the staff of the Department of Metropolitan Development Committee has worked hard to provide Councillors with additional accountability information, and he asked for the Council's support of this proposal which will greatly benefit the neighborhoods.

Councillor Schneider stated that he was opposed to this proposal at the last meeting, and since that time has received more calls than ever on any one subject. He stated that he has concerns

about the sovereignty of the City of Indianapolis and the accountability process for dollars granted to projects such as these. He stated that he has spoken with the Mayor regarding these concerns, and the Mayor has agreed to make a more concerted effort and make room for more accountability. He added that as a result of these discussions he will present a proposal to deal with accountability issues, and is satisfied that the Mayor and administration will work with him to improve this process. He stated that he will vote in favor of this proposal this evening, but asks the support of fellow Councillors regarding improving the accountability process.

Councillor Hinkle moved, seconded by Councillor Short, for adoption. Proposal No. 675, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 675, 1998 was retitled SPECIAL RESOLUTION NO. 4, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1999

A SPECIAL RESOLUTION approving the 1999 Consolidated Annual Plan and the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on September 28, 1998, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 124, 1998, 1999 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01(b) of the Budget Ordinance, as approved by the Council, reads as follows:

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has presented the 1999 Consolidated Annual Plan, a document submitted to the United States Department of Housing and Urban Development ("HUD"), which sets forth the City's goals and intentions for using federal dollars in fiscal year 1999, to the Council; and

WHEREAS, the Department of Metropolitan Development has summarized the 1999 Consolidated Annual Plan housing activities to be performed by Community Development Corporations and Neighborhood Based Organizations in Exhibit A; and

WHEREAS, Council now finds that the 1999 Consolidated Annual Plan ("Plan"), including insubstantial amendments thereto, and the amounts, locations and programmatic operations of each of the projects listed in the Plan should be approved; now, therefore:

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

SECTION 1. That the 1999 Consolidated Annual Plan presented to HUD and the projects included in the Plan are approved.

SECTION 2. By approving the 1999 Consolidated Annual Plan, the Summary, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amounts, locations and programmatic operation of each project set forth therein, is hereby approved.

SECTION 3. This approval shall constitute the approval required under Section 4.01(b) of the Budget Ordinance and shall include and allow insubstantial amendments to the 1999 Consolidated Annual Plan and the approved projects.

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

EXHIBIT A

1999 FEDERAL FUND RECOMMENDATIONS

1. Barnes United Methodist Church		
• Acquisition and/or Rehabilitation of 4 transitional housing units		\$100,000
2. BOS Community Development Corporation		
• Repairs to 20 low/moderate income owner occupied residences.		100,000
3. CICOA: The Access Network		
• Repairs to 15 low/moderate income owner occupied residences		150,000
4. Community Action of Greater Indianapolis		
• Repairs to 20 low/moderate income owner occupied residences		100,000
5. Community Alliance of the Far Eastside		
• Repairs to 8 low/moderate income owner occupied residences		64,000
6. Concord Community Development Corporation		
• Repairs to 15 low/moderate income owner occupied residences.		150,000
• Acquisition and/or Rehabilitation of 3 units to be sold to low/moderate income homebuyers		75,000
7. Englewood Community Development Corporation		
• Acquisition and/or Rehabilitation of 5 transitional housing units.		125,000
8. Indiana Black Expo Economic Development Corporation		
• Repairs to 5 low/moderate income owner occupied residences		50,000
9. King Park Area Development Corporation		
• Repairs to 5 low/moderate income owner occupied residences		50,000
10. Mapleton Fall Creek Housing Development Corporation		
• Repairs to 15 low/moderate income owner occupied residences		150,000
• Construct 2 new units of housing to be sold to low/moderate income homebuyers		45,000
11. Martin Luther King Community Development Corporation		
• Repairs to 5 low/moderate income owner occupied residences		42,000
12. Martindale Brightwood Community Development Corporation		
• Repairs to 5 low/moderate income owner occupied residences		50,000
13. Near North Development Corporation		
• Repairs to 12 low/moderate income owner occupied residences		111,623

Journal of the City-County Council

• Acquisition and/or Rehabilitation of 5 units to be sold to low/moderate income homebuyers	125,000
14. Riley Area Revitalization Program (also known as Riley Area Development Corporation)	
• Construct 5 new units of housing to be sold to low/moderate income homebuyers	112,500
15. South East Neighborhood Development Corporation	
• Repairs to 15 low/moderate income owner occupied residences	120,968
• Acquisition and/or Rehabilitation of 4 units to be sold to low/moderate income homebuyers	100,000
• Construct 4 new units of housing to be sold to low/moderate income homebuyers	90,000
16. United North East Community Development Corporation	
• Repairs to 5 low/moderate income owner occupied residences	50,000
17. United Northwest Area Development Corporation	
• Repairs to 36 low/moderate income owner occupied residences	360,000
• Construct 15 new units of housing to be sold to low/moderate income homebuyers	337,500
18. West Indianapolis Development Corporation	
• Repairs to 13 low/moderate income owner occupied residences	130,000
• Repairs to 7 rental units occupied by low/moderate income families	40,000
• Construct 7 new units of housing to be sold to low/moderate income homebuyers	157,500
• Demolition to complete phase III of William Penn Commons Development, which will be a health care facility serving low/moderate income residents	90,000
19. Westside Community Development Corporation	
• Repairs to 30 low/moderate income owner occupied residences.	210,000
• Acquisition and/or Rehabilitation of 5 units to be sold to low/moderate income homebuyers	125,000
20. Emergency Home Repair Fund	201,874
21. Administrative Support for Community Development Corporations	<u>160,000</u>
TOTAL	\$3,772,965

Councillor Short stated that he appreciates Councillor Schneider's viewpoint on added accountability. Councillor Gray stated that he also wants to see added accountability and is glad to see some majority members finally asking for more accountability, instead of dismissing requests for such as in former Parks Department discussions.

Councillor Gilmer asked for consent to explain his vote. Consent was given. Councillor Gilmer stated that some of the groups receiving grants are not qualified to spend this money and he hopes Councillor Schneider's efforts to improve accountability will succeed.

Councillor Franklin asked for consent to explain his vote. Consent was given. Councillor Franklin stated that these are dollars spent in our neighborhoods and communities, and contracts are given to local companies. He added that he has great confidence in the Community Development Corporations to do what is best for their communities.

PROPOSAL NO. 719, 1998. The proposal, sponsored by Councillor Dowden, authorizes appraisals to purchase real estate at 531 Virginia Avenue from Matt Corporation of Indiana by Marion County for use by the Marion County Superior Court. Councillor Dowden reported that this proposal was tabled at the last Council meeting and should not be included in the active agenda until further action is taken.

PROPOSAL NO. 727, 1998. Councillor Smith reported that the Regulatory Research and Review Committee heard Proposal No. 727, 1998 on December 8, 1998. The proposal received an indecisive vote in Council on December 14, 1998. The proposal amends the Rules of the Council concerning regulatory review procedures. Councillor Smith deferred to General Counsel Robert Elrod to explain the proposal. Mr. Elrod stated that the proposal extends the period of submitting regulations with economic impact statements. President SerVaas asked if it would be beneficial to the Chairman to return the proposal to the Committee for further discussion.

Councillor Short stated that the intent of the Committee is clear by the 4-0 vote taken on December 8, 1998. Councillor Moores stated that the Committee needs to remain intact in order to continue the technological advances being made with the code. Councillor Short stated that he would like to see a vote taken on this proposal this evening. Councillor Smith concurred that a vote should be taken this evening.

Councillor Massie asked for clarification as to what the Council is actually voting on, an extension of a period for submitting regulations or the actual existence of the Committee. Mr. Elrod stated that the proposal does not banish the Committee, as the Committee has a few duties outside of these regulation efforts.

Councillor Borst stated that this proposal does have to do with the existence of the Regulatory Research and Review Committee, and the technological advances being made with the code have nothing to do with this Committee's duties. He added that the Committee has received two economic impact statements in two years, and it seems a waste to hold on to an additional Committee on the basis of such a small impact. He asked what the Committee is actually doing that makes it worthwhile for it to continue outside of the duty outlined in this proposal. He moved to postpone Proposal No. 727, 1998 so that the Chairman of the Committee can provide Council members with a synopsis of the accomplishments and objectives of this Committee and explain the reasons for its continued existence. Councillor Massie seconded the motion. Councillors Gilmer, Boyd, and Williams voiced their agreement that the proposal should be postponed. The President asked the Chairman if a postponement will allow him time to provide such a synopsis. Councillor Smith stated that it will. The motion to postpone carried by a unanimous voice vote, and Proposal No. 727, 1998 was postponed until January 25, 1999.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 645, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 645, 1998 on December 2 and 16, 1998. The proposal amends the Revised Code relating to the citizens police complaint board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Boyd asked if the complaint board had initiated these changes and if Dr. Alan Handt, Director of Public Safety, was also in favor of the changes. Councillor Dowden stated that the

complaint board submitted these changes to Dr. Handt, who in turn, submitted them to the Council for approval.

Councillor Borst stated that one of the reasons for the time frame change in this proposal is because the Health and Hospital Corporation process was very slow. He added that he has asked former Councillor Stephen West to look into this process and they are working on improving that situation.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 645, 1998, as amended, was adopted on the following roll call vote; viz:

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

1 NAY: Boyd

1 NOT VOTING: Franklin

1 ABSENT: O'Dell

Proposal No. 645, 1998, as amended, was retitled GENERAL ORDINANCE NO. 1, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1999

A GENERAL ORDINANCE amending the Revised Code relating to the citizens police complaint board.

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

SECTION 1. Sec. 251-132 and Sec. 251-135 of the Revised Code of the Consolidated City and County be and is hereby amended by adding the underlined text and deleting the stricken-through text, to read as follows:

Sec. 251-132. Citizens police complaint board established; election process; terms; quorum.

(a) *Members.* There shall be established a citizens police complaint board composed of nine (9) voting members and two (2) ex-officio, non voting police advisory members to be selected as follows:

- (1) All members shall be citizens who are residents of the police special service district. No sworn law enforcement officer is eligible to serve as a voting member of the board. Voting members may be selected from nominees submitted by the five (5) Indianapolis Police Department district task forces which are convened by the deputy chief of each district. No district task force may nominate more than three (3) candidates for appointment to the board.
- (2) Five (5) of the members shall be appointed by the city-county council. At least two (2) of these five (5) members must be of a different political party. Two (2) of these members shall serve for a one-year term ending December 31, 1998, two (2) of these members shall serve for a two-year term ending December 31, 1999, and one (1) of these members shall serve for a three (3) year term ending December 31, 2000, or until their successors are appointed and confirmed.
- (3) Four (4) of the members shall be appointed by the mayor. One (1) of these members shall serve for a one (1) year term ending December 31, 1998, one (1) of these members shall serve for a two (2) year term ending December 31, 1999, and two (2) of these members shall serve for a three (3) year term ending December 31, 2000, or until their successors are appointed and confirmed.

- (4) Upon the expiration of any member's term, an appointment will be made to his position by the original appointing body, for a term of three (3) years. Each member may be reappointed to a three (3) year term, but may serve no more than two (2) consecutive terms.
- (5) The two (2) ex-officio, non-voting police members of the board shall be appointed as follows: one (1) by the mayor and one (1) by the city-county council and shall serve two (2) year terms ending December 31, 1999. The officers appointed shall:
 - a. have been members of the Indianapolis Police Department for more than (7) years;
 - b. shall have participated in ethics training;
 - c. have strong community relations experience;
 - d. be of the rank of sergeant or below in rank, preferably a patrolman; and
 - e. shall not serve more than two (2) consecutive terms on the board.
- (b) *President.* The members shall select one (1) member to serve as president of the citizens complaint board from the voting members of the board.
- (c) *Removal.* All members shall serve at the pleasure of the appointing officials.
- (d) *Establishment of quorum; votes required for action.* Five (5) voting members of the board shall constitute a quorum for the purpose of conducting business. Five (5) voting members of the board must vote in favor of before any action or disposition can be taken by the Board.
- (e) *Attendance requirements.* All voting board members must attend a minimum of 75% of the meetings of the board. The appointing authority shall replace any member who fails to meet this attendance requirement within sixty (60) days of written notice of failure to meet this attendance standard.
- (f) *Training.* All voting board members must participate in twenty (20) hours of training in police procedures, to be completed within six (6) months of their appointment, and shall receive an additional twenty (20) hours of such training per year. In addition, each voting member shall be required to accompany an on-duty officer a minimum of four (4) times per year, for a minimum of four (4) hours per occasion, in order to observe police procedures first-hand.

Sec. 251-135. Complaint investigation and hearing procedures.

(a) Upon the filing of a complaint, the executive director shall immediately send a copy of the complaint to the chief or the chief's designee. In addition, the officer(s) alleged to be involved in the incident shall be notified of the date of the incident, and given a copy of the complaint. After the filing of a complaint, the board shall table its own investigation for a period of ~~thirty (30)~~ sixty (60) working days to allow the police department to conduct its own investigation and to allow the chief to take appropriate action. However, if deemed appropriate or necessary, the Board may order the executive director to conduct an independent simultaneous investigation before the end of the ~~thirty (30)~~ sixty (60) working day period. Such action must be authorized by a three-fourths (3/4) vote of the entire board.

(b) After the expiration of the ~~thirty (30)~~ sixty (60) working day period, the board shall review the investigation conducted by the police department and the action taken by the chief, if any. The board may dispose of the complaint by endorsing the findings and action taken by the department and shall notify the chief of this in writing. If the board does not agree with the action taken by the chief or with the results of the investigation conducted by the police department, the board may, by majority vote:

- (1) Order the executive director to conduct an investigation into the allegations of the complaint, and/or
- (2) Conduct an informal administrative hearing on the complaint, and/or

- (3) Order the executive director to engage in a process of informal mediation to attempt to resolve the complaint.

(c) If the board determines to hold a hearing, the complaint office shall give written notice to all parties and witnesses at least fifteen (15) days in advance of the scheduled hearing. All testimony at such hearing shall be given under oath and under penalty of perjury.

(d) Upon the completion of the investigation by the complaint office or after the hearing, the board shall make a disposition regarding the complaint. The disposition shall be one or more of the following:

- (1) *Not sustained:* There is insufficient evidence to prove ~~or disprove~~ the allegation(s) made in the complaint by clear and convincing evidence.
- (2) *Sustained:* There is sufficient evidence to prove the allegation(s) made in the complaint by clear and convincing evidence.
- (3) *Unfounded:* The ~~allegation(s)~~ incident(s) is/are false or not factual.
- (4) ~~*Exonerated:* The incident occurred, but is lawful and proper.~~ *Founded:* The incident(s) did occur.

The disposition must be made within one hundred twenty (120) days of the date the complaint is received by the office.

(e) The findings and disposition of the board shall be communicated to the chief of police in writing within ten (10) days of the date of the disposition.

(f) If the chief does not confirm the findings and disposition of the board within thirty (30) days of disposition or if there is a conflict between the findings and disposition of the board and the findings of the chief, the board may, upon a majority vote of its members, require mediation between the chief of police and the executive director.

(g) Any disciplinary action taken against an officer due to his/her involvement in an incident which resulted in a complaint being filed with the office shall be communicated to the board for disclosure to the public.

SECTION 2. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 744-747, 1998 on December 16, 1998. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 744, 1998. The proposal, sponsored by Councillor Tilford, authorizes a traffic signal for 21st Street and Warren Central High School Access Drive (9700 East) (District 12). PROPOSAL NO. 745, 1998. The proposal, sponsored by Councillor Borst, authorizes a traffic signal for Harding Street and Pilot Access Drive (4600 South) (District 25). PROPOSAL NO. 746, 1998. The proposal, sponsored by Councillor Hinkle, authorizes a traffic signal for Girls School Road and Ben Davis High School Middle Drive and Rolling Hills Drive (District 18). PROPOSAL NO. 747, 1998. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal for Allisonville Road and Circuit City Drive (8350 North) (District 3). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Tilford, for adoption. Proposal Nos. 744-747, 1998 were adopted on the following roll call vote; viz:

January 4, 1999

25 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

3 NOT VOTING: Dowden, Golc, Schneider

1 ABSENT: O'Dell

Proposal No. 744, 1998 was retitled GENERAL ORDINANCE NO. 2, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28	21st St, Warren Central High School Access Drive (9700 E)	None	Signal

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

Proposal No. 745, 1998 was retitled GENERAL ORDINANCE NO. 3, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38	Harding St, Pilot Access Dr (4600 S)	None	Signal

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

Proposal No. 746, 1998 was retitled GENERAL ORDINANCE NO. 4, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Girls School Rd, Ben Davis High School Middle Dr, Rolling Hills Dr	None	Signal

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

Proposal No. 747, 1998 was retitled GENERAL ORDINANCE NO. 5, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1999

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5	Allisonville Rd, Circuit City Dr (8350 N)	None	Signal

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

ANNOUNCEMENTS AND ADJOURNMENT

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

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillors Borst, Coughenour, and Massie in memory of Charles "Chick" Orme.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Charles "Chick" Orme. He respectfully asked the support of fellow Councillors. He further requested that the motion be

January 4, 1999

made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:33 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 4th day of January, 1999.

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)