

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

**REGULAR MEETINGS  
MONDAY, APRIL 26, 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 7:13 p.m. on Monday, April 26, 1999, with Councillor SerVaas presiding.

Councillor SerVaas introduced Rabbi Eric Bram, Chief Rabbi of the Indianapolis Hebrew Congregation, who led the opening prayer. Councillor SerVaas invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Massie introduced Carolyn Grant, the daughter of a longtime friend and political leader, Erban Merl. Councillor Talley recognized constituent Tim Newhope. Councillor Tilford introduced Marion County Sheriff Jack Cottey and Warren Township Judge Bill Nelson.

## OFFICIAL COMMUNICATIONS

### Report on National League of Cities

The President stated that Councillor Boyd has asked to postpone this report until the next session of the Council. He added that Councillors Coughenour, Williams, and Curry have also been active through the years on the National League of Cities (NLC) and now hold important posts with the organization. He said that he will invite these Councillors to give brief reports once a month on activities with the NLC, and how that affects the course of affairs between cities and State and Federal governments.

### Clerk of the Council

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, April 26, 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

April 6, 1999

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, April 9, 1999, a copy of a Notice of Public Hearing on Proposal Nos. 201, 224-229, and 231, 1999, said hearing to be held on Monday, April 26, 1999, at 7:00 p.m. in the City-County Building.

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

April 30, 1999

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:

On April 28, 1999, I approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

SPECIAL ORDINANCE NO. 2, 1999 - a special ordinance for Covered Bridge Associates or a not-for-profit entity to be formed or designated in an amount not to exceed \$10,000,000 to be used for the acquisition and renovation of the existing Covered Bridge Apartments located at 68th and Georgetown Road (Covered Bridge Associates Project) (District 1)

*April 26, 1999*

SPECIAL ORDINANCE NO. 3, 1999 - a special ordinance for Pedcor Investments, LLC acting on behalf of a to-be-formed limited partnership in an amount not to exceed \$14,000,000 to be used for the acquisition, development, construction and equipping of a 192-unit residential complex to be located at 2925 Waterfront Parkway (Waterfront Property Project) (District 18)

SPECIAL ORDINANCE NO. 4, 1999 - a special ordinance 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 (Keystone at Fall Creek Apartments Project) (District 11)

On April 30, 1999, I approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 41, 1999 - approves an increase of \$286,000 in the 1999 Budget of the Office of the Controller (Consolidated County Fund) to implement the formulation of Internet resources to support the production of content and services offered on the City-County Internet websites, financed by fund balances

FISCAL ORDINANCE NO. 42, 1999 - approves an increase of \$1,500,000 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to complete the upgrade of the Automated Fingerprint Identification System (AFIS), financed by federal funds to be transferred to the Indianapolis Police Department from the Marion County Sheriff's Department

FISCAL ORDINANCE NO. 43, 1999 - approves an increase of \$121,500 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to implement the Indianapolis Police Department's Gang Resistance and Education Training program (G.R.E.A.T.) in partnership with the Indianapolis Public Schools, funded by a grant from the U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms

GENERAL ORDINANCE NO. 48, 1999 - amends the Revised Code in order to allow Marion County to participate in the County Corrections Fund

GENERAL ORDINANCE NO. 49, 1999 - authorizes a traffic signal at Allisonville Road and Castle Creek Parkway (District 3)

GENERAL ORDINANCE NO. 50, 1999 - authorizes a traffic signal at Delegates Row and North River Road (District 3)

GENERAL ORDINANCE NO. 51, 1999 - authorizes a traffic signal at Westlane Road and Township Line Road (District 2)

GENERAL ORDINANCE NO. 52, 1999 - authorizes multi-way stops at Delaware Street and 70th Street, and at Park Avenue and 70th Street (District 2)

GENERAL ORDINANCE NO. 53, 1999 - authorizes multi-way stops at Holliday Drive East/Holliday Drive West/Wellington Road, and at Illinois Street and Wellington Road (District 2)

GENERAL ORDINANCE NO. 54, 1999 - authorizes intersection controls for 90th Street and River Road, and for 90th Street and River Crossing Boulevard (District 3)

GENERAL ORDINANCE NO. 55, 1999 - authorizes a multi-way stop at Balmoral Road and Haymount Drive (District 18)

GENERAL ORDINANCE NO. 56, 1999 - authorizes parking restrictions on Winchester Drive from Madison Avenue to Browning Drive (District 20)

GENERAL ORDINANCE NO. 57, 1999 - authorizes parking restrictions for Southern Avenue between Manker Street and Shelby Street (District 20)

GENERAL RESOLUTION NO. 3, 1999 - approves the borrowing of \$15,000,000 for purchase and an installation of hardware and software upgrades to the MECA system and its financing by the issuance of "City of Indianapolis, Indiana, Public Safety Communications Systems and Computer Facilities Bonds, Series 1999 A"

GENERAL RESOLUTION NO. 4, 1999 - approves the borrowing of \$10,000,000 for (i) the Upper Canal Extension from St. Clair to 11th Street, (ii) the renovation and expansion of the fire station at 2960 N. Kenwood, and (iii) improvement and redevelopment associated with the Glendale Shopping Center, and its financing by issuance of "City of Indianapolis, Indiana, Redevelopment District Revenue Bonds, Series 1999A"

SPECIAL RESOLUTION NO. 21, 1999 - recognizes the civic and public contributions of Richard and Jean Petrecca

SPECIAL RESOLUTION NO. 22, 1999 - recognizes the 50th Anniversary of Christian ministry by Reverend Clyde V. Jetter

SPECIAL RESOLUTION NO. 23, 1999 - commends Marion County Jail II

SPECIAL RESOLUTION NO. 24, 1999 - concerns the National Day of Prayer

SPECIAL RESOLUTION NO. 25, 1999 - amends S. R. No. 6, 1999, by extending the expiration date from April 30, 1999, to October 31, 1999, for Washington Crossing Apartments, L.P. in an amount not to exceed \$9,950,000 to be used for the development and construction of a 264-unit residential complex located at 2005 South Bridgeport Road (Bridgeport Road and West Washington Street) (Bridgeport Commons Apartment Homes Project) (District 19)

SPECIAL RESOLUTION NO. 26, 1999 - approves a public purpose grant in the amount of \$30,000 to Indiana University for the purpose of providing educational access cable television programming in Marion County

SPECIAL RESOLUTION NO. 27, 1999 - concerns a parking meter blockout on May 28, 1999, to encourage veterans and citizens to observe the Memorial Day activities

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1999 - approves an increase \$1,808,849 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to fund part of the cost of hiring additional street police officers financed by a federal grant

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1999 -approves an increase of \$3,066,852 in the 1999 Budget of the Department of Public Safety, Police Division (Police Service District Fund and Police Pension Fund) to pay part of the cost of hiring additional street police officers, purchase 126 laptop computers for current officers and new recruits, and pay overtime for additional Downtown patrols, financed by fund balances

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

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

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of April 5, 1999. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 292, 1999 The proposal, sponsored by Councillor Coughenour, recognizes the civic and public contributions of Richard and Jean Petrecca. Councillor Coughenour read the proposal and presented Mr. and Mrs. Petrecca with copies of the document and Council pins. Mr. Petrecca thanked the Council for the recognition. Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 292, 1999 was adopted by a unanimous voice vote.

Proposal No. 292, 1999 was retitled SPECIAL RESOLUTION NO. 21, 1999, and reads as follows:

April 26, 1999

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1999

A SPECIAL RESOLUTION recognizing the civic and public contributions of Richard and Jean Petrecca.

WHEREAS, Richard and Jean Petrecca have given a combined 36 years of service to local government, and countless hours to volunteer work in a number of organizations; and

WHEREAS, both are natives of Chicago and learned early in their marriage the importance of good government, becoming involved, and giving back to their community; and

WHEREAS, from 1979 to March 31, 1999, Dick worked in the Franklin Township and in the Marion County Assessor's Offices, he served on the Beech Grove Variance Board for the past 22 years, and is still a part-time hearing officer for the county property tax appeals board; and

WHEREAS, Jean worked for the city purchasing department for 18 years, has been an active member for many years in her Beech Grove philanthropic sorority, and more recently the Beech Grove Garden Club where she specializes in organic gardening, and she finds time to crochet afghans many of which she gives to charity; and

WHEREAS, Dick Petrecca has maintained a personal pride that he operated assessing only one way—to be as fair and equitable as is humanly possible, he soon will have been President of the Beech Grove Lions Club for the second time, ran for Beech Grove mayor in 1975, and serves as an active Republican Ward Chairman; and

WHEREAS, both enjoy auto racing, the Colts games, bowling, and the love of their three children who are all graduates of Purdue University; 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 pauses to recognize and thank Richard and Jean Petrecca of Beech Grove who have both unselfishly given a large part of their lives to the community.

SECTION 2. Indianapolis is a much greater place because of many people like Richard and Jean Petrecca who choose to be vital, active, and personally involved; and the Council wishes the Petrecca's the very best in their retirement years.

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. 293, 1999. The proposal, sponsored by Councillor Talley, recognizes the 50th Anniversary of Christian ministry by Reverend Clyde V. Jetter. Councillor Talley read the proposal and presented Rev. Jetter with a copy of the document and a Council pin. Rev. Jetter thanked the Council for this recognition and stated that Shiloh Baptist Church was organized and began meeting in the City-County Building over 102 years ago. Councillor Boyd stated that the City benefits greatly from Rev. Jetter's efforts. Councillor Talley moved, seconded by Councillor Boyd for adoption. Proposal No. 293, 1999 was adopted by a unanimous voice vote.

Proposal No. 293, 1999 was retitled SPECIAL RESOLUTION NO. 22, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1999

A SPECIAL RESOLUTION recognizing the 50<sup>th</sup> Anniversary of Christian ministry by Reverend Clyde V. Jetter.

WHEREAS, for the past 50 years, since 1949, Reverend Clyde V. Jetter has been a Baptist minister; and

WHEREAS, after seminary his first congregation was in Carrollton, Kentucky, until 1956 when Rev. Jetter was called to Indianapolis by the Shiloh Missionary Baptist Church; and

WHEREAS, he led Shiloh in a church remodeling project, only to be very humbled to see the church destroyed by fire in 1969, and after a 13-month stay at a host church, Rev. Jetter led his congregation to its new location at 3801 Forest Manor Avenue; and

WHEREAS, since then, many forms of ministry have flourished including Christian education, ways and means, missions, 15 acres of land, new additions to the church, day care, and athletics; and

WHEREAS, over the years Rev. Jetter has received an honorary doctorate title, he has ordained several new ministers, has held high offices in the local, state and national Baptist Conventions, is the President of Concerned Clergy, and has had many other involvements and honors; 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 Reverend Clyde V. Jetter upon his half century of preaching the Good News.

SECTION 2. May the life and person of Rev. Jetter serve as a beacon and inspiration to others for many 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.

Councillor Dowden asked for consent to hear Proposal No. 295, 1999 next. Consent was given.

PROPOSAL NO. 295, 1999. The proposal, sponsored by Councillor Dowden, concerns the National Day of Prayer. Councillor Dowden read the proposal and encouraged all Council members to participate in the National Day of Prayer on Thursday, May 6, 1999. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 295, 1999 was adopted by a unanimous voice vote.

Proposal No. 295, 1999 was retitled SPECIAL RESOLUTION NO. 24, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1999

A SPECIAL RESOLUTION concerning the National Day of Prayer.

WHEREAS, throughout the history of America, our people have offered prayers of thanksgiving for our God-given rights and the blessings which we enjoy, as well as prayers for guidance, comfort, and protection; and

WHEREAS, in times of joy and times of peril, our presidents, from George Washington to William Clinton, have called upon Americans to pray to our Creator; and

WHEREAS, observance of a National Day of Prayer was first declared by the Continental Congress in 1775; and

WHEREAS, the United States Congress reconfirmed this observance by proclaiming the first Thursday in May in each year as a National Day of Prayer; and

April 26, 1999

WHEREAS, with the theme "Light the Nation...With Prayer," the National Day of Prayer will be observed throughout our land on Thursday, May 6, 1999; 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 encourages our citizens to observe this day individually, as families, and as a community by joining their fellow citizens in praying for God's continuing guidance, comfort, and protection for our nation.

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

PROPOSAL NO. 294, 1999. The proposal, sponsored by Councillor Dowden, commends Marion County Jail II. Councillor Dowden read the proposal and presented copies of the document and Council pins to representatives. Warden Bill Romeril and Sheriff Jack Cottey thanked the Council for the recognition and faith to make the new jail successful. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 294, 1999 was adopted by a unanimous voice vote.

Proposal No. 294, 1999 was retitled SPECIAL RESOLUTION NO. 23, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1999

A SPECIAL RESOLUTION commending Marion County Jail II.

WHEREAS, Marion County Jail II, which will soon celebrate its second anniversary, represents the first time in the state of Indiana that the solution to jail overcrowding was to implement a privatization partnership with Corrections Corporation of America being selected to manage Marion County's new jail; and

WHEREAS, with jail overcrowding reaching a crisis point, representatives from the three branches of local government held a series of meetings to weigh the options; and the sheriff, council, auditor, mayor, prosecutor and judges all partnered in this innovative solution; and

WHEREAS, the last jail expansion in 1986 cost the taxpayers \$13 million for 320 more beds, this new expansion gained twice as many beds at virtually the same cost; and

WHEREAS, Corrections Corporation of America in the new jail is now employing more than 180 workers, with a \$4 million annual payroll and \$1.6 million in purchases in a converted building that originally made automobiles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks all of those in city and county government who had the foresight and initiative to work together and invite the private firm Corrections Corporation of America to manage Marion County's new jail.

SECTION 2. Because of this bold and successful leap beyond the conventional ways of running government, the citizens and taxpayers of Indianapolis and Marion County are the real winners.

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. 296, 1999. The proposal, sponsored by Councillors Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Hinkle, McClamroch, Massie, Moores, Schneider, SerVaas, Shambaugh, Smith, and Tilford, is a council resolution of censure. [Clerk's Note: This censure resolution is in response to Councillor O'Dell casting votes for an absent member, Councillor Smith, at the Council meeting on April 5, 1999.] The Clerk read the proposal, and the President called for any comments from Councillors before calling for the vote.

Councillor O'Dell stated that the votes cast for Councillor Smith were on internal procedures and non-agenda items. He stated that he cast the votes for Councillor Smith as a courtesy, not knowing he was not in attendance. He stated that he often casts votes for his seatmates when they are in the chamber and not at their desk or out of the room briefly. He stated that he immediately admitted his mistake following the Council meeting. Items on Councillor Smith's desk and his seat were moved and his voting button was activated, indicating that Councillor Smith was not absent. Councillor O'Dell stated that a censure is an extreme consequence of a mistake and indicates that his voting on behalf of a fellow Councillor as a courtesy was intentional fraud, which it was not. He stated that the integrity of the Council has not been compromised and no outcomes were affected by his mistake. He added that he was not informed personally of this censure by any of his fellow Council members, but found out about it through the media. He stated that this seems to be a personal political ploy by candidates for office in light of upcoming elections. Councillor O'Dell stated that he is sorry for the negative attention to this body, the pressures placed upon the President of the Council, and for confusion caused to family and constituents. He added that he did not act intentionally to harm the Council, and he feels this punishment is meant to hurt him personally rather than help the situation.

Councillor Coughenour stated that both of these votes were on suspension of the rules, and she asked how Councillor O'Dell knew how Councillor Smith would wish to vote on these issues. Councillor O'Dell stated that the first vote was simply a technical problem with a resolution which was submitted by the deadline, but did not get introduced because of a staff error. He stated that he has had discussions with Councillor Smith regarding libraries, and knew that his district would benefit from a new library. The second vote was basically a partisan vote, and he voted within Councillor Smith's party.

Councillor Talley asked if future violations of Council rules will be handled by the Committee as a Whole. The President stated that this is the first time a censure has been made, and no precedent has yet been set for this process. He added that it is an issue that will need to be addressed.

Councillor Hinkle stated that Councillor O'Dell has served his district well and is a competent leader and good friend. He added, however, that he had asked Councillor O'Dell after the prayer of the last Council meeting where Councillor Smith was. Councillor O'Dell replied that Councillor Smith was not here and may be here later if he made it at all. Councillor O'Dell stated that at the beginning of the meeting, the chair was pulled up to the desk and no papers had been moved. After returning from the podium later in the meeting, Councillor Smith's chair had been moved back and papers were shuffled. These facts indicated that Councillor Smith had arrived. Councillor O'Dell stated that both of these voting issues occurred early in the meeting and Councillors were still arriving.



April 26, 1999

Councillor Gilmer read the following written statement into the record:

April 26, 1999

I cannot support this censure resolution, which would attempt to censure my friend and fellow Councilman, Cory O'Dell.

It was a bad decision to do this and it really reminds me of the old-fashioned kangaroo court.

If you are going to censure someone for voting when perhaps they should not have voted, what do you propose to do to people who are duly in the Chamber and do not vote?

I refer to the vote of Proposal No. 248, 1999, on the night of April 5, 1999. People were in the Chamber and did not vote. (See the tote-board print-out.)

Also, attached is a copy of Sec. 151-52(a) Roll call votes, which states that members present shall vote.

This censure is more about library funding than about illegal voting. Cory O'Dell is on the right side of library funding and many Councillors are not, and now they want to destroy him both personally and politically.

For all these reasons, I oppose this resolution and would urge others to do likewise.

Sincerely,  
s/Gordon Gilmer

The President stated that following a fellow Council member's objection to the voting process, he asked General Counsel Robert Elrod to look into the matter as a violation of Council rules. He stated that actions available under Council rules to such an offense range from censure to removal from the Council. This discipline requires action by the full Council.

Councillor Short stated that according to the vote sheets, these votes took place at 8:10 p.m. and 8:50 p.m. He said that these times are over an hour into the meeting and followed late Council members' arrivals. He added that he brought up this issue to protect the integrity of this body.

Councillor Coughenour stated that she is one who did not vote on the zoning issue at the last meeting. She stated that she had left the chamber to get some coffee and when she returned tried to cast her vote, but the machine was already closed. She added that courtesy voting is not the same as voting for an absent member and that voting by proxy is illegal.

Councillor Moores stated that she cannot sit in this chamber and listen to absolute untruths. She added that 8:50 p.m. is not early in the meeting or agenda, and the moving of a chair is no indication someone has arrived, because many Councillors move around the chamber during meetings talking to other Councillors and sitting in any vacant seat available. She stated that the first vote was on a matter that was a personal political matter that Councillor O'Dell wanted heard before the primary elections. She added that the second vote did not fall along party lines, as three Republicans voted against the resolution. Councillor Moores stated that in the "Let it Out" column of the *Indianapolis News*, a citizen wrote that this is just another example of "crooked politicians pushing taxpayers around." She added that she is concerned about the credibility of this body and to say this was a mistake or a courtesy is disingenuous at best.

Councillor Moriarty Adams stated that she is the other Council member who did not vote on the zoning issue, although she was present at the meeting. She stated that she believes she was in the back of the chamber talking to representatives of the Department of Capital Asset Management concerning resurfacing projects. She explained that she was not at her seat to cast a vote, but was present and was conducting City business.

Councillor Williams stated that she left the last Council meeting very discouraged and disappointed. She stated that she feels no better this evening, because of the upcoming primary elections. She added that she would feel much better discussing this issue on its own merits at the next Council meeting. She said that she feels like a pawn in a political battle and moved to postpone Proposal No. 296, 1999 until the next Council meeting. Councillor Gray seconded the motion. The motion to postpone Proposal No. 296, 1999 until May 17, 1999 failed by the following roll call vote; viz:

*9 YEAS: Boyd, Brents, Franklin, Gilmer, Golc, Gray, Jones, Moores, Williams*

*20 NAYS: Black, Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Hinkle, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*

Councillor Boyd stated that in Section 3 of the proposal, the wording is confusing. He asked if it is possible for the President of the Council to carry the authority of removing someone from office. Mr. Elrod stated that the President cannot remove a member from office, but the Council can remove a member from office with a two-thirds vote.

Councillor Black stated that he is opposed to the proposal because of the references about removing a member from office.

Councillor O'Dell stated that the zoning issue was a partisan issue because the majority of Republicans voted in favor. He added that zoning issues are at the top of the agenda and the meeting did not even begin until 7:20 p.m. Councillor O'Dell stated that he believed Councillor Smith was present when he cast these votes. He asked what the legal definition and coinciding penalties are for censure. Mr. Elrod stated that a censure is simply a public declaration of disapproval and there may be other sanctions tied to it. Councillor O'Dell asked if any sanctions other than his chairmanship removal, as stated in the proposal, are tied to this censure. Mr. Elrod replied that there are not at this time, but that the Council could decide to add sanctions to the proposal by amending it. Councillor O'Dell stated that it is regrettable that this occurred, and he can accept the censure as related in the proposal.

Councillor Gilmer asked when this proposal was introduced. Mr. Elrod stated that the first draft of this proposal was in his office by April 13, 1999, which met the deadline.

Councillor Short moved, seconded by Councillor Moores, for adoption. Proposal No. 296, 1999 was adopted by the following roll call vote; viz:

*22 YEAS: Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*7 NAYS: Black, Boyd, Brents, Franklin, Gilmer, Gray, O'Dell*

Proposal No. 296, 1999 was retitled COUNCIL RESOLUTION NO. 50, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1999

A COUNCIL RESOLUTION OF CENSURE

WHEREAS, at the April 5, 1999 meeting of the City-County Council votes were cast on electronic roll calls for Councillor Smith who was absent from the meeting; and

WHEREAS, it is a violation of the rules of the council to vote for another councillor who is not present at the meeting; and

WHEREAS, prior to adjournment of the meeting a Councillor called the violation to the attention of the Chair pursuant to Rule Sec. 151-49 and asked the President to take action pursuant thereto; and

WHEREAS, the improper votes did not change the effects of the votes and the records have been corrected to reflect that such votes were not cast; and

WHEREAS, Councillor O'Dell thereafter admitted casting the improper votes; now, therefore:

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

SECTION 1. The casting of an electronic vote for an absent councillor on an official roll call is a violation of the council rules, a transgression of the decorum of the Council, and a failure to properly discharge the duties of the Councillor so voting,

SECTION 2. The actions of Councillor O'Dell in attempting to cast votes for an absent councillor are strongly disapproved, and Councillor O'Dell is hereby officially censured for such actions.

SECTION 3. The Council approves Dr. SerVaas' removal of Mr. O'Dell as chairman of the Municipal Corporations Committee as the lesser option from that of removing Mr. O'Dell from Council membership for the balance of his term.

Councillor Coonrod asked for consent to introduce the appointment of members to serve on the Salary Recommendations Panel. He has discussed these appointments with both the Majority and Minority Leaders. Consent was given.

Councillor Coonrod moved, seconded by Councillor McClamroch, that Robert Lazard, Tom Grabel and Joseph Staehler be appointed to serve on the Marion County Salary Recommendations Panel. Mr. Lazard, Mr. Grabel, and Mr. Staehler were appointed by a unanimous voice vote.

Councillor McClamroch asked for consent to vote on Proposal Nos. 20, 154, 205, 206, and 211, 1999 together. All proposals are board appointments and passed out of Committee with do pass recommendations. Consent was given.

PROPOSAL NO. 20, 1999. The proposal appoints Lincoln L. Plowman to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 154, 1999. The proposal, sponsored by Councillor Schneider, approves the Mayor's appointment of Leah Smith to serve as Director of the Department of Administration. PROPOSAL NO. 205, 1999. The proposal reappoints Curtis Coonrod to the Audit Committee. PROPOSAL NO. 206, 1999. The proposal reappoints John M. Mallers to the Audit Committee. PROPOSAL NO. 211, 1999. The proposal appoints John Purcell to the Indianapolis City-Market Corporation Board. Councillor McClamroch moved,

seconded by Councillor Cockrum, for adoption. Proposal Nos. 20, 154, 205, 206, and 211, 1999 were adopted by a unanimous voice vote.

Proposal No. 20, 1999 was retitled COUNCIL RESOLUTION NO. 55, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1999

A COUNCIL RESOLUTION reappointing Lincoln L. Plowman to the Metropolitan Board of Zoning Appeals Division III.

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 Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Lincoln L. Plowman

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

Proposal No. 154, 1999 was retitled COUNCIL RESOLUTION NO. 51, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 1999

A COUNCIL RESOLUTION approving the Mayor's appointment of Leah D. Smith as Director of the Department of Administration for a term ending December 31, 1999.

WHEREAS, pursuant to IC 36-3-5-2 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 Administration 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 Leah D. Smith to serve as Director of the Department of Administration at his pleasure for a term ending December 31, 1999; now, therefore:

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

SECTION 1. Leah D. Smith is approved and confirmed by the City-County Council to serve as Director of the Department of Administration at the pleasure of the Mayor for a term ending December 31, 1999.

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

Proposal No. 205, 1999 was retitled COUNCIL RESOLUTION NO. 52, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1999

A COUNCIL RESOLUTION reappointing Curt Coonrod to the Audit Committee.

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

April 26, 1999

SECTION 1. As a member of the Audit Committee, the Council appoints:

Curtis Coonrod

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

Proposal No. 206, 1999 was retitled COUNCIL RESOLUTION NO. 53, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1999

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

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

SECTION 1. As a member of the Audit Committee the Council appoints:

John M. Mallers

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

Proposal No. 211, 1999 was retitled COUNCIL RESOLUTION NO. 54, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 1999

A COUNCIL RESOLUTION appointing John Purcell to the Indianapolis City-Market Corporation 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 Indianapolis City-Market Corporation Board, the Council appoints:

John Purcell

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2000. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 262, 1999. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which authorizes and approves an interlocal agreement for the investment of public funds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 263, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$5,412,209 in the 1999 Budget of the Department of Metropolitan Development (Federal Grants Fund and Consolidated County Fund) for planning activities associated with the reuse of the Naval Air Warfare Center and for supporting and providing affordable housing and economic development

opportunities for the citizens of Indianapolis, financed by federal grants and fund balances”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 264, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Darrell Bakken to the Metropolitan Board of Zoning Appeals Division III”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 265, 1999. Introduced by Councillors Coughenour and Hinkle. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which amends the Revised Code concerning the restrictions on signs which advertise garage sales”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 266, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: “A Proposal for a Special Resolution which establishes a moratorium on the creation or the extension of any Tax Increment Financing Districts until such time as the budget for the Indianapolis-Marion County Library has been resolved”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 267, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: “A Proposal for a Special Resolution which designates Belmont Avenue from Michigan Street to White River Parkway, West Drive, as the ‘Reverend Mozel Sanders Memorial Way’”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 268, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: “A Proposal for a General Resolution which approves certain public purpose grants totaling \$750,000 for support of the arts”; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 269, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$701,500 in the 1999 Budget of the Department of Parks and Recreation (Park General Fund) to replace outdated vehicles and to fund additional park maintenance contracts, day camp and recreational programs, environmental education planning, professional park training, and a Pleasant Run Greenway mural project, financed by fund balances”; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 270, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Special Resolution which determines the need to lease certain office space for the use of the County Prosecutor”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 271, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which amends the Revised Code in order to allow Marion County to participate in the County Corrections Fund”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 272, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$117,324 in the 1999

Budget of the County Sheriff (Cumulative Capital Development Fund) to purchase additional Sheriff vehicles financed by auction proceeds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 273, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$24,250 in the 1999 Budgets of the Auditor and the County Sheriff (County Grants Fund) to provide for a uniformed deputy with arrest powers for the security of runaways and the agency employees and to purchase a public safety radio, funded by a grant from Youth Emergency Services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 274, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$167,833 In the 1999 Budgets of the County Auditor and the Marion County Superior Court (Alcohol and Drug Services Fund) to be compliant with the 3% increase for probation officers hired in 1998 funded by alcohol and drug services program user fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 275, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$272,848 in the 1999 Budgets of the County Auditor and the Marion County Superior Court (Supplemental Adult Probation Fees Fund ) to be compliant with the 3% increase for personnel hired in 1998 financed by probation user fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 276, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$48,000 In the 1999 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Child Advocates funded by a grant from the Indiana Criminal justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 277, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$100,000 and an increase of \$1,200,000 in the 1999 Budget of the Department of Public Works, Maintenance Operations Division (Maintenance Operations Fund) to cover the increased costs incurred for snow removal which exceeded budgeted amounts and to pay increased traffic signal maintenance costs for streets formerly maintained by the State Highway Department, financed by a transfer and fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 278, 1999. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which adopts a state law that permits zoning cases to be heard at the local township level to offer greater opportunity for residents to participate in the public hearings"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 280, 1999. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$200,000 in the 1999 Budget of the Department of Capital Asset Management, Finance and Administration Division (Federal Grants Fund) for a public transit awareness and education program, financed by a federal grant"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 281, 1999. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves an amendment to an interlocal agreement between the City and the Town of Meridian Hills relating to jurisdiction of streets and bridges in Meridian Hills"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 282, 1999. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Candlewick Drive and Surrey Road (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 283, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at McCarty Street and Waldemere Avenue (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 284, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 12th Street and King Avenue (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 285, 1999. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Bergeson Way and Greenridge Drive (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 286, 1999. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at Colorado Avenue at 12th and 13th Streets (Districts 10, 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 287, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes an intersection control at Bash Street and Clara Street (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 288, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 64th Street, Rucker Road, and State Road 37 (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 289, 1999. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes 55 degree parking on Carrollton Street, on the west side, from Broad Ripple Avenue to 62nd Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 290, 1999. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes 55 degree parking on Riviera



Drive East, on both sides, from Winthrop Avenue to Dead End (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 291, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,000,000 in the 1999 Budget of the Department of Capital Asset Management, Asset Management Division (Flood General Fund) to undertake neighborhood drainage improvements, flood control projects, and other related work, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 298, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Russell B. Grunden to the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

Councillor Dowden asked for consent to vote on Proposal No. 271, 1999 this evening. He stated that this is an annual proposal and it was simply an oversight that it was not introduced sooner. He added that it needs to be approved before the next Council meeting. Consent was given.

PROPOSAL NO. 271, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 271, 1999 on April 7, 1999. The proposal amends the Revised Code in order to allow Marion County to participate in the County Corrections Fund. By a unanimous vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 271, 1999 was adopted on the following roll call vote; viz:

*20 YEAS: Boyd, Cockrum, Coonrod, Curry, Dowden, Golc, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*9 NOT VOTING: Black, Borst, Bradford, Brents, Coughenour, Franklin, Gilmer, Gray, Hinkle*

Proposal No. 271, 1999 was retitled GENERAL ORDINANCE NO. 48, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1999

A GENERAL ORDINANCE amending the Revised Code of Indianapolis and Marion County by amending Section 135-271, of Article II, Division 7.

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

SECTION 1. Sec. 135-271 of Article II, Division 7 of the Revised Code of Indianapolis and Marion County is hereby amended by inserting the words or symbols underlined and deleting the words or symbols stricken-through as follows:

DIVISION 7. COUNTY CORRECTIONS FUND

**Sec. 135-271. Created.**

(a) The city-county council hereby elects to receive deposits from the department of corrections in accordance with IC 11-12-6.

(b) The city-county council hereby elects to receive such deposits at level 3 funding. Level 3 funding shall be equal to three thousand five hundred dollars (\$3,500) times eighty-four (84) (Marion County base integer) or two hundred ninety-four thousand dollars (\$294,000) for the year ending April 30, ~~1999~~ 2000.

(c) There is hereby created a "county corrections fund," to be administered by the city-county council. The fund shall consist of deposits received from the department of corrections in accordance with IC 11-12-6-13.

(d) The county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

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

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions can, without the invalid provision or provision, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

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

PROPOSAL NO. 258, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 258, 1999 on April 15, 1999. The proposal is a special ordinance for Covered Bridge Associates or a not-for-profit entity to be formed or designated in an amount not to exceed \$10,000,000 to be used for the acquisition and renovation of the existing Covered Bridge Apartments located at 68th and Georgetown Road (Covered Bridge Associates Project) (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 258, 1999 was adopted on the following roll call vote; viz:

*24 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Gilmer, Golc, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*5 NOT VOTING: Dowden, Franklin, Gray, Massie, O'Dell*

Proposal No. 258, 1999 was retitled SPECIAL ORDINANCE NO. 2, 1999, and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1999**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to \$9,780,000 City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 1999A (the "Series 1999A Bonds") and \$75,000 City of Indianapolis, Indiana Taxable Multifamily Housing Revenue Bonds, Series 1999B (Covered Bridge Apartments Project) (the "Series 1999B Bonds") (collectively, the "Bonds") and approving and authorizing other actions in respect thereto.

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

April 26, 1999

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

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

WHEREAS, a representative of Sheltering Palms Foundation, Inc. (the "Applicant") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Applicant (the "Company") in order to enable the Company to undertake and complete the acquisition and renovation of the existing 252-unit Covered Bridge Apartments on approximately an 18 acre parcel of land located at 4909 Covered Bridge Road, Indianapolis, Indiana (the "Project"); and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition and substantial rehabilitation of the Project by issuing up to \$9,780,000 City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 1999A (the "Series 1999A Bonds") and \$75,000 City of Indianapolis, Indiana Taxable Multifamily Housing Revenue Bonds, Series 1999B (Covered Bridge Apartments Project) (the "Series 1999B Bonds") (collectively, the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 14, 1999 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of April 1, 1999 by and between the Issuer and Norwest Bank Indiana, N.A., as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of April 1, 1999, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

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

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

WHEREAS, there has been submitted to the Commission for its approval substantially final forms of the Loan Agreement, Trust Indenture, Series 1999A Promissory Note, Mortgage and Security Agreement, Assignment of Rents and Leases, Remarketing Agreement, Bond Purchase Agreement, Series 1999B Promissory Note, Regulatory Agreement and Declaration of Restrictive Covenants, Preliminary Official Statement, and forms of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

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

SECTION 3. The Issuer shall issue its Series 1999A Bonds in the principal amount not to exceed \$9,780,000 and its Series 1999B Bonds in an amount not to exceed \$75,000 for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement executed by the Company to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

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

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

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

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

SECTION 8. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to American Frontier Financial Corporation, the Placement Agent, that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

PROPOSAL NO. 259, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 259, 1999 on April 15, 1999. The proposal is a special ordinance for Pedcor Investments, LLC acting on behalf of a to-be-formed limited partnership in an amount not to exceed \$14,000,000 to be used for the acquisition, development, construction and

equipping of a 192-unit residential complex to be located at 2925 Waterfront Parkway (Waterfront Property Project) (District 18). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams stated that she will be abstaining on Proposal Nos. 259-261, 1999 to avoid an appearance of a conflict of interest.

Councillor Borst moved, seconded by Councillor Massie, for adoption. Proposal No. 259, 1999 was adopted on the following roll call vote; viz:

*24 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Schneider, Shambaugh, Short, Smith, Talley, Tilford, Williams*

*0 NAYS:*

*5 NOT VOTING: Franklin, Gray, Moriarty Adams, O'Dell, SerVaas*

Proposal No. 259, 1999 was retitled SPECIAL ORDINANCE NO. 3, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1999

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to \$7,500,000 City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1999A (the "Series 1999A Bonds") and \$900,000 City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1999B (Pedcor Investments -- 1999 -- XXXVIII, L.P.--Waterfront Apartments Development Project) (the "Series 1999B Bonds") (collectively, the "Bonds") and approving and authorizing other actions in respect thereto.

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

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

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

WHEREAS, a representative of Pedcor Investments -- 1999 -- XXXVIII, L.P. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, development, construction and equipping of a 192-unit apartment complex on approximately 12 acres of land to be located at 2925 Waterfront Parkway, Indianapolis, Indiana (the "Project"); and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, development, construction and equipping of the Project by issuing \$7,500,000 City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1999A and \$900,000 City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1999B (Pedcor Investments -- 1999 -- XXXVIII, L.P.--Waterfront Apartments Development Project) (collectively, the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 14, 1999 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the financing of the

Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of May 1, 1999 by and between the Issuer and Bank One Trust Company, N.A., as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of May 1, 1999 between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

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

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

WHEREAS, there has been submitted to the Commission for its approval substantially final forms of the Trust Indenture, Loan Agreement, Bond Purchase Agreement, Land Use Restriction Agreement, Remarketing Agreement and Preliminary Official Statement, and forms of the Series 1999A and Series 1999B Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

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

SECTION 3. The Issuer shall issue its Bonds in multiple series and in the principal amounts not to exceed \$7,500,000 in the case of the Series 1999A Bonds and \$900,000 in the case of the Series 1999B Bonds for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

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

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

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

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

SECTION 7. The Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Code and regulations promulgated thereunder does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company following receipt of supporting materials submitted by the Company to the Indiana Housing Finance Authority (the "IHFA") and either written representations of the Company or of the IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project, and (ii) the Project satisfied the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the purchasers thereof and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 8. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to the Bank One Capital Markets, Inc., the underwriter, that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

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

PROPOSAL NO. 260, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 260, 1999 on April 15, 1999. The proposal is a special ordinance 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 (Keystone at Fall Creek Apartments Project) (District 11). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Coonrod, for adoption. Proposal No. 260, 1999 was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Schneider, Shambaugh, Short, Smith, Talley, Tilford, Williams*

0 NAYS:

6 NOT VOTING: *Black, Franklin, Gray, Moriarty Adams, O'Dell, SerVaas*

Proposal No. 260, 1999 was retitled SPECIAL ORDINANCE NO. 4, 1999, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1999

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue up to \$9,500,000 City of Indianapolis, Indiana First Mortgage Multifamily Housing Mortgage Revenue Bonds, Series 1999A (the "Series 1999A Bonds") and \$500,000 City of Indianapolis, Indiana Taxable Subordinated Second Mortgage Multifamily Housing Revenue Bonds, Series 1999B (Keystone at Fall Creek Apartments Project) (the "Series 1999B Bonds") and approving and authorizing other actions in respect thereto.

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

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

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

WHEREAS, a representative of Fallcreek Parkway Associates, L.P. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition and renovation of the existing 238-unit Vantage Point Apartment project and the conversion of existing office/retail space into 22 new apartment units and a community center to contain a senior center and a day care facility on an approximately 6.10 acre parcel of land located at 4475 Allisonville Road, Indianapolis, Indiana (the "Project"); and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition and renovation of the Project by issuing up to \$9,500,000 City of Indianapolis, Indiana Multifamily Housing First Mortgage Revenue Bonds, Series 1999A and \$500,000 City of Indianapolis, Indiana Taxable Subordinated Second Mortgage Multifamily Housing Revenue Bonds, Series 1999B (Keystone at Fall Creek Apartments Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 14, 1999 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of April 1, 1999 by and between the Issuer and Chase Manhattan Trust Company, National Association, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of April 1, 1999 between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

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

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



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WHEREAS, there has been submitted to the Commission for its approval substantially final forms of the Trust Indenture, Loan Agreement, Series 1999A Promissory Note, Series 1999B Promissory Note, Open-End Mortgage and Security Agreement, Open-End Second Mortgage and Security Agreement, Federal Income Tax Compliance Agreement, Land Use Restriction Agreement, Bond Purchase Agreement, Preliminary Official Statement, and forms of Series 1999A and Series 1999B Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance which are by this reference incorporated herein by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

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

SECTION 3. The Issuer shall issue its 1999A Bonds in the principal amount not to exceed \$9,500,000 and Series 1999B Bonds in the principal amount not to exceed \$500,000 for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

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

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

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

SECTION 7. The Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986 (the "Code") and regulations promulgated thereunder does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company

following receipt of supporting materials submitted by the Company to the Indiana Housing Finance Authority (the "IHFA") and either written representations of the Company or of the IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project, and (ii) the Project satisfied the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the purchasers thereof and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 8. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to The Sturges Company, the Placement Agent, that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

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

PROPOSAL NO. 261, 1999. Councillor Borst reported that the Economic Development Committee heard Proposal No. 261, 1999 on April 15, 1999. The proposal amends S. R. No. 6, 1999, by extending the expiration date from April 30, 1999, to October 31, 1999, for Washington Crossing Apartments, L.P. in an amount not to exceed \$9,950,000 to be used for the development and construction of a 264-unit residential complex located at 2005 South Bridgeport Road (Bridgeport Road and West Washington Street) (Bridgeport Commons Apartment Homes Project) (District 19). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 261, 1999 was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, Massie, McClamroch, Moores, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams*

0 NAYS:

6 NOT VOTING: *Black, Bradford, Gray, Moriarty Adams, O'Dell, Smith*

Proposal No. 261, 1999 was retitled SPECIAL RESOLUTION NO. 25, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1999

A SPECIAL RESOLUTION amending City-County Special Resolution No. 44, 1998, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

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of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, City-County Special Resolution No. 44, 1998 has been previously-adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Washington Crossing Apartments, L.P. (the "Company") which resolution set an expiration date of April 30, 1999 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; 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 finds, determined, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of April 30, 1999, contained therein and replacing said date with the date of October 31, 1999.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution and City-County Special Resolution No. 6, 1999 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NOS. 299-302, 1999 and PROPOSAL NOS. 303-305, 1999. Introduced by Councillor Hinkle. Proposal Nos. 299-302, 1999 and Proposal Nos. 303-305, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 23, 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. 71-77, 1999, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 71, 1999.

99-Z-17

2805 KENTUCKY AVENUE (*approximate address*), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #17

MARTIN MARIETTA MATERIALS, INC., by Kevin Pethick, requests a rezoning of 86.14 acres, being in the I-3-S (FW) (FF) District, to the I-3-S (GSB) (FW) (FF) classification to provide for underground limestone mining.

REZONING ORDINANCE NO. 72, 1999.

99-Z-41

2651 NORTH HARDING STREET (*approximate address*), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

UNITED NORTHWEST AREA DEVELOPMENT CORPORATION requests a rezoning of 0.3 acre, being in the SU-7 District, to the D-8 classification to provide for two multi-family residences.

REZONING ORDINANCE NO. 73, 1999.

99-Z-42

6136 SOUTH BELMONT (*approximate address*), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

WARNER CLARK, by Joseph D. Calderon, requests a rezoning of 5.5 acres, being in the D-A District, to the I-1-S classification to provide for a self-storage mini-warehouse facility.

REZONING ORDINANCE NO. 74, 1999.

99-Z-52 (99-DP-10)

8616 WEST 10<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

WESTSIDE LIMITED PARTNERSHIP, by Timothy E. Ochs, requests a rezoning of 15.127 acres, being in the SU-1 District, to the D-P classification to provide for an assisted living facility.

REZONING ORDINANCE NO. 75, 1999.

99-Z-43

135 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

COLE INC., by Joseph M. Scimia, requests a rezoning of 3.72 acres, being in the I-3-U(RC) District, to the CBD-S(RC) classification to provide for mixed use residential, commercial and industrial development.

REZONING ORDINANCE NO. 76, 1999.

99-Z-44

3509 WEST 16<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

RICHARD P. DEARDORFF requests a rezoning of 0.4 acre, being in the D-5 and C-4 Districts, to the C-5 classification to provide for automobile sales and outdoor display.

REZONING ORDINANCE NO. 77, 1999.

99-CP-11Z

4173-4185 NORTH BROADWAY AVENUE, 641-643 EAST 42<sup>nd</sup> STREET, and 4166-4188

NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 6

INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Joseph W. Murphy, requests rezoning of 1.37 acres, being in the D-5, and C-3 Districts, to the SU-37 classification to provide for the construction of a new library branch facility.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 193, 1999. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 193, 1999 on April 20, 1999. The proposal approves an increase of \$286,000 in the 1999 Budget of the Office of the Controller (Consolidated County Fund) to implement the formulation of Internet resources to support the production of content and services offered on the City-County Internet websites, 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 8:50 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 193, 1999 was adopted on the following roll call vote; viz:

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

*1 NAY: Franklin*

*2 NOT VOTING: Dowden, O'Dell*

Proposal No. 193, 1999 was retitled FISCAL ORDINANCE NO. 41, 1999, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 41, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Hundred Eighty Six Thousand Dollars (\$286,000) in the Consolidated County Fund for purposes of the Office of the Controller 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(g) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of the Controller to implement the formulation of Internet resources to support the production of content and services offered on the City-County Internet websites.

SECTION 2. The sum of Two Hundred Eighty Six Thousand Dollars (\$286,000) 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>OFFICE OF THE CONTROLLER</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	263,580
4. Capital Outlay	<u>22,420</u>
TOTAL INCREASE	286,000

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>286,000</u>
TOTAL REDUCTION	286,000

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

PROPOSAL NO. 201, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 201, 1999 on April 14, 1999. The proposal approves an increase of \$14,000,000 in the 1999 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to undertake design improvements to US 31 from Southern Avenue to Hanna Avenue, to widen Fall Creek from Shadeland Avenue to Emerson Way, and to make various transportation and traffic improvements on the public rights of way along US 31 and SR 37 inside I-465, formerly owned by State of Indiana, financed by fund balances.

Councillor Gilmer stated that Dennis Neidigh, Director of the Department of Capital Asset Management (DCAM), asked for this proposal to be postponed until the next Council meeting.

Councillor Gilmer moved, seconded by Councillor Moriarty Adams, to postpone Proposal No. 201, 1999 until May 17, 1999.

Councillor Short asked if the details for this proposal will be reported back to the Council before the next meeting, since the proposal is not going back to Committee. Councillor Gilmer stated that the details will be provided in a handout to Council members before the next Council meeting. Councillor McClamroch agreed that all Council members should be apprised of the schedule and details of this proposal.

Councillor Borst stated that he received a handout regarding this proposal on March 30, 1999 from Mr. Neidigh, and Mr. Neidigh is very good about keeping the Council informed about projects.

Proposal No. 201, 1999 was postponed by a unanimous voice vote.

PROPOSAL NO. 224, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 224, 1999 on April 7, 1999. The proposal approves an increase of \$1,500,000 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to complete the upgrade of the Automated Fingerprint Identification System (AFIS), financed by federal funds to be transferred to the Indianapolis Police Department from the Marion County Sheriff's Department. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 224, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 224, 1999 was retitled FISCAL ORDINANCE NO. 42, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional One Million Five Hundred Thousand Dollars (\$1,500,000) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE 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 (m) of the City-County Annual Budget for 1999 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to complete the upgrade of the Automated Fingerprint Identification System (AFIS).

SECTION 2. The sum of One Million Five Hundred Thousand Dollars (\$1,500,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FEDERAL GRANTS FUND</u>
<u>POLICE DIVISON</u>	
3. Other Services and Charges	<u>1,500,000</u>
TOTAL INCREASE	1,500,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>1,500,000</u>
TOTAL REDUCTION	1,500,000

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

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

PROPOSAL NO. 226, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 226, 1999 on April 7, 1999. The proposal approves an increase of \$121,500 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to implement the Indianapolis Police Department's Gang Resistance and Education Training program (G.R.E.A.T.) in partnership with the Indianapolis Public Schools, funded by a grant from the U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 226, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 226, 1999 was retitled FISCAL ORDINANCE NO. 43, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional One Hundred Twenty One Thousand Five Hundred Dollars (\$121,500) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section (m) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to educate youth about the dangers associated with joining street gangs in partnership with the Indianapolis Public Schools and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF).

SECTION 2. The sum of One Hundred Twenty One Thousand Five Hundred Dollars (\$121,500) 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>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISON</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	51,480
2. Supplies	60,640
3. Other Services and Charges	6,600
4. Capital Outlay	<u>2,780</u>
TOTAL INCREASE	121,500

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

	<u>FEDERALGRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>121,500</u>
TOTAL REDUCTION	121,500

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 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. 228, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 226, 1999 on April 7, 1999. The proposal approves an increase of \$660,620 in the 1999 Budgets of County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to continue the Marion County Drug Treatment Diversion Program funded by the Local Law Enforcement Block Grant III. Councillor Dowden moved, seconded by Councillor Talley, to postpone Proposal No. 228, 1999 until May 17, 1999. Proposal No. 228, 1999 was postponed by a unanimous voice vote.

PROPOSAL NO. 229, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 229, 1999 on April 7, 1999. The proposal, sponsored by Councillor Curry, approves the borrowing of \$15,000,000 for purchase and an installation of hardware and software upgrades to the MECA system and its financing by the issuance of "City of Indianapolis, Indiana, Public Safety Communications Systems and Computer Facilities Bonds, Series 1999 A." By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gilmer asked if the money for these bonds will come from property taxes. Councillor Dowden stated that it will come from taxes and other sources of funding, such as the 911 fee and other State appropriations. Councillor Curry stated that the property tax component of this bond will not increase the property tax rate. He added that nothing bought under this bond will have a life less than the bond.

Councillor Gilmer stated that it is amazing this upgrade can be done without increasing the tax rate, but yet the same cannot be accomplished for the libraries. Councillor Curry stated that MECA has its own borrowing base and is out of a specific taxing arrangement set up with the County agency of MECA. Councillor Gilmer asked why federal funds cannot be used for the



retirement of this bond. The President stated that public safety communications are classically paid for by local government, not the federal government.

The President called for public testimony at 9:08 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 229, 1999 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*5 NOT VOTING: Black, Franklin, Moores, Smith, Williams*

Proposal No. 229, 1999 was retitled GENERAL RESOLUTION NO. 3, 1999, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1999

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Public Safety Communications Systems and Computer Facilities District Bonds, Series 1999 A," in an original aggregate issued amount not to exceed Fifteen Million Dollars (\$15,000,000) and with an aggregate final maturity amount for any capital appreciation bonds not to exceed Twenty-Four Million Nine Hundred Fifty Thousand Dollars (\$24,950,000).

WHEREAS, on February 16, 1999, the Metropolitan Emergency Communications Agency Board (the "Board"), being the governing body of the City of Indianapolis, Indiana, Public Safety Communications Systems and Computer Facilities District (the "District"), adopted a Declaratory Resolution entitled "Declaratory Resolution of the Metropolitan Emergency Communications Agency Board" (the "Declaratory Resolution") declaring that it is necessary for the general welfare of the persons residing within the District and will be of public utility and benefit to the property in the District to undertake all or a portion of the projects specified in Exhibit A attached hereto (the "1999 MECA Projects"), at an estimated cost not to exceed Fifteen Million Dollars (\$15,000,000), including all expenses in connection therewith or on account thereof; and

WHEREAS, on March 2, 1999, after notice and a public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution entitled "Confirmatory Resolution of the Metropolitan Emergency Communications Agency Board"; and

WHEREAS, on March 2, 1999, after notice and a public hearing thereon, the Board adopted a resolution entitled "Preliminary Bond/Preliminary Determination Resolution of the Metropolitan Emergency Communications Agency Board" (the "Preliminary Bond Resolution") making a preliminary determination to issue, and authorizing the issuance of, special taxing district bonds of the District to be issued in one or more series, in an aggregate original issued amount not to exceed Fifteen Million Dollars (\$15,000,000), and with an aggregate final maturity amount for any capital appreciation bonds not to exceed Twenty-Four Million Nine Hundred Fifty Thousand Dollars (\$24,950,000), for the purpose of procuring funds to apply to the costs of the 1999 MECA Projects; and

WHEREAS, on March 5, 1999, and on March 12, 1999, the notice of the Board's determination to issue such special taxing district bonds was published in two newspapers of general circulation and published in the District in accordance with Indiana Code § 6-1.1-20-5, as amended; and

WHEREAS, on March 5, 1999, the notice of the Board's determination to issue such special taxing district bonds was posted in three public places in the District in accordance with Indiana Code § 6-1.1-20-5, as amended; and

WHEREAS, on March 5, 1999, the notice of the Board's preliminary determination to issue such special taxing district bonds was published in two newspapers of general circulation and published in the District in accordance with Indiana Code § 6-1.1-20-3.1, as amended; and

WHEREAS, the Auditor of Marion County, Indiana (the "Auditor"), did not receive on or before March 29, 1999, any petition or petitions containing the valid signatures of at least 10 taxpayers in the District, which petition or petitions object to the issuance of the special taxing district bonds pursuant to Indiana Code § 6-1.1-20-5, as amended; and

WHEREAS, the Auditor did not receive on or before April 5, 1999, any petition or petitions containing the valid signatures of at least 250 owners of real property in the District, which petition or petitions request the application of the petition-remonstrance to the 1999 MECA Projects pursuant to Indiana Code § 6-1.1-20-3.2, as amended; and

WHEREAS, the Board has requested the approval of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), for the issuance of said special taxing district bonds pursuant to Indiana Code § 36-3-5-8, and the City-County Council now finds that the issuance of said bonds should be approved; now therefore:

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

SECTION 1. The City-County Council does hereby approve (i) the Preliminary Bond Resolution, and (ii) the issuance of special taxing district bonds of the District, in one or more series or issues, to be designated as "City of Indianapolis, Indiana, Public Safety Communications and Computer Facilities District Bonds, Series 1999 A," in an aggregate original issued amount not to exceed Fifteen Million Dollars (\$15,000,000) and with an aggregate final maturity amount for any capital appreciation bonds not to exceed Twenty-Four Million Nine Hundred Fifty Thousand Dollars (\$24,950,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-6-4-16.

EXHIBIT A  
THE 1999 MECA PROJECTS

The installation of a Computer Aided Dispatch/Record Management/Corrections Management System which will link all of the public safety agencies providing service in Marion County, Indiana. Such installation will include, but not be limited to, the purchase of both hardware and software to substantially upgrade and expand the equipment and software of the Computer Aided Dispatch System currently used by the Metropolitan Emergency Communications Agency and the Records Management System currently used by the Indianapolis Fire Department.

PROPOSAL NO. 231, 1999. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 231, 1999 on April 6, 1999. The proposal, sponsored by Councillors Bradford and Williams, approves the borrowing of \$10,000,000 for (i) the Upper Canal Extension from St. Clair to 11th Street, (ii) the renovation and expansion of the fire station at 2960 N. Kenwood, and (iii) improvement and redevelopment associated with the Glendale Shopping Center, and its financing by issuance of "City of Indianapolis, Indiana, Redevelopment District Revenue Bonds, Series 1999A." By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry moved to amend Proposal No. 231, 1999 by changing the word "Board" to "Commission" in the second Whereas statement as a technical amendment. Councillor Borst seconded the motion, and Proposal No. 231, 1999 was amended by a unanimous voice vote.

Councillor Gilmer asked why the renovation and expansion of the fire station would not be paid for by public safety. Bob Swintz, Indianapolis Bond Bank, stated that the City had three projects that needed a small amount of borrowing, and they tried to consolidate into a larger bond by grouping them together through Metropolitan Development for more efficiency and lower interest rates. He added that the Public Safety Department will actually contract and use their revenues to pay this portion of the bond back.

The President called for public testimony at 9:13 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 231, 1999, as amended, was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*5 NOT VOTING: Black, Moores, Smith, Talley, Williams*

Proposal No. 231, 1999, as amended, was retitled GENERAL RESOLUTION NO. 4, 1999, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1999

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Redevelopment District Revenue Bonds, Series 1999 A," in an original aggregate issued amount not to exceed Ten Million Dollars (\$10,000,000).

WHEREAS, on March 17, 1999, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), adopted a Preliminary Bond Resolution (Resolution No. 99-D-012) (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the District, in one or more series or issues, payable solely from (a) annual appropriations from the Cumulative Capital Fund of the City of Indianapolis, Indiana, and (b) to the extent determined by the Controller of the City of Indianapolis, Indiana (the "City Controller"), at the time the bonds are issued to be necessary or desirable to issue the bonds, annual appropriations from the Community Development Block Grant funds received by the City of Indianapolis, Indiana, pledged for the purposes as provided in Indiana Code 36-7-15.1-17(h) (the "Bonds"), for the purpose of procuring funds to be applied to the cost of all or a portion of the projects specified in Exhibit A attached hereto (the "1999 District Projects"), together with the expenses in connection with or on account of the issuance of the Bonds authorized therein (collectively, the "Project Costs"), in an aggregate original issued amount not to exceed \$10,000,000; and

WHEREAS, the Commission has requested the approval of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), for the issuance of said special taxing district bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of said bonds should be approved; now therefore:

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

SECTION 1. The City-County Council does hereby approve (i) the Preliminary Bond Resolution, and (ii) the issuance of special taxing district bonds of the District, in one or more series or issues, to be designated as "City of Indianapolis, Indiana, Redevelopment District Revenue Bonds, Series 1999 A," in an aggregate original issued amount not to exceed Ten Million Dollars (\$10,000,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-6-4-16.

EXHIBIT A  
THE 1999 DISTRICT PROJECTS

1. Upper Canal Extension. This project consists of the extension of the Canal in the downtown of the City of Indianapolis, Indiana (the "Canal"), from St. Clair Street to 11th Street, which is approximately three city blocks, and will include, but not be limited to:

- (a) the renovation and expansion of the existing fire station at 2960 N. Kenwood Street, to provide for additional community visibility and improved access to a major thoroughfare,
  - (b) the acquisition of land adjacent to the current fire station facility, and
  - (c) projects which are ancillary to those listed in clauses (a) and (b) above.
3. Glendale. This project consists of
- (a) infrastructure improvements and other redevelopment projects in the area in and around the Glendale Shopping Center area for the purpose of improving and enhancing traffic flow and accessibility in the area, and
  - (b) other redevelopment projects in and around the Glendale Shopping Center area in connection, or associated, with the renovation and redevelopment of Glendale Shopping Center.

Councillor Bradford stated that he would like to publicly thank Bob Swintz and all the businesses involved in the Glendale portion of this project.

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

PROPOSAL NO. 166, 1999. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 166, 1999 on March 4, 1999 and again on April 8, 1999. The proposal gives the City the ability to charge a connection fee that recoups a fair pro rata share of the City's costs of construction of certain new sanitary sewers. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Talley asked if the fees will be passed on to local homeowners. Councillor Coughenour stated that if the homeowners connect into the sewer system, they will benefit. However, they will not be forced into connecting unless Health and Hospital deems there is a health hazard. Councillor Talley asked if fees or taxes will increase. Councillor Coughenour stated that the only costs associated are individual user charges, and this is nothing new. Councillor Talley stated that he views this as a tax increase and cannot support the proposal.

Councillor Hinkle stated that this is not a tax, but the City is taking on the responsibility of putting in a regional sewer. As residents connect onto this sewer, they will be charged a standard connection fee and monthly user charge. When a developer puts a sewer in an area, he passes on those charges to the homeowners. This proposal allows the City to build a sewer to handle future developments. This process will actually cost the taxpayers of Marion County less money because this sewer will meet the capacity for growth in the area, not one particular development.

Councillor Talley asked if this is a one-time charge and asked how that charge is determined. Councillor Coughenour stated that there is a one-time hook up charge and the charge is determined according to how much capacity a homeowner would need.

Councillor Gilmer asked if this is a totally new concept. Councillor Coughenour stated that the State allows cities to do this, but the City has never done it in the past. It is a more economical way to address the growth in the City.

Councillor Smith stated that he has concerns about how this proposal affects Franklin Township, which is growing the most rapidly.

Councillor Moores stated that she has spoken with General Counsel Robert Elrod regarding an amendment to this proposal by adding to Section 671-803 the words "identified as DCAM project LS-42-016A, LS-42-016, and SS-42-017." This will enable the funding mechanism identified in

this ordinance to pay for the sewer coming on-line in the next few months, but will allow time to study the effects on the rate of development in other areas. She moved, seconded by Councillor Smith, to amend Proposal No. 166, 1999.

Councillor Borst stated that the Council rules state that any amendments should be written out and put before the members of this body. He stated that he has no idea what this amendment does and does not understand the need for it.

Councillor Moores stated that this amendment makes the proposal specific to a certain project that has been under construction, instead of being a general funding mechanism.

Councillor Coughenour stated that she would like for Council staff to get this amendment written out and before Council members in order to vote on this amendment this evening.

Councillor Smith stated that this is a good project and he would like to see this proposal move forward as amended. He added that this proposal serves everyone's interest.

Councillor Schneider asked if the author of the amendment is asking that the Council approve each future request for a sewer. Councillor Moores stated that this funding mechanism is approved for these three projects that comprise the Franklin Township Regional Sanitary Sewer, but does not blanket future sewer systems. Councillor Schneider asked if this will become like a zoning issue, that each project will need the Council's approval. Councillor Moores stated that she is in favor of this because of the growth and development and how it affects the overall townships.

Councillor Hinkle asked if it is appropriate to suspend the rules regarding the amendment being in writing. General Counsel Robert Elrod stated that the motion to amend is in handwriting, but there are no rules that say the amendment must be distributed in writing to each Council member. Councillor Black stated that this is not the way he understands this rule, and he has been told in the past it must be in writing and before the members of the Council.

Councillor Boyd moved, seconded by Councillor Borst, to postpone Proposal No. 166, 1999 until May 17, 1999.

Councillor Coughenour stated that this proposal has already been postponed once and she would prefer that it not be postponed again. Councillor Boyd stated that too many Council members are unfamiliar with the implications of this amendment, and the general new concept of this proposal. He added that this amendment changes the proposal that the Committee heard testimony on and voted to recommend. He stated that there are too many questions.

Councillor Coughenour asked if postponement of this proposal will pose a problem for the funding and development. Mark Jacobs, Department of Public Works, stated that the process still requires the City to come before the Council again to approve the project and then the project must be recorded as a recorded instrument. The rest of the process would put the finish date at June or July, which is very close to the completion date of the construction project.

Dennis Neidigh, Director of the Department of Public Works, stated that he recommends a postponement so that this amendment and the implications of such can be researched.

Proposal No. 166, 1999 was postponed by a unanimous voice vote.

PROPOSAL NO. 230, 1999. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 230, 1999 on April 6, 1999. The proposal approves a public purpose grant in the amount of \$30,000 to Indiana University for the purpose of providing educational access cable television programming in Marion County. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 230, 1999 was adopted on the following roll call vote; viz:

*25 YEAS: Black, Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jones, Massie, McClanroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams*

*0 NAYS:*

*4 NOT VOTING: Brents, Hinkle, Moores, Smith*

Proposal No. 230, 1999 was retitled SPECIAL RESOLUTION NO. 26, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1999

A SPECIAL RESOLUTION approving a public purpose grant to Indiana University in the amount of \$30,000 for the purpose of financing educational access cable television programming.

WHEREAS, the City-County Council for the City of Indianapolis and Marion County proposes to authorize a public purpose grant in the amount of \$30,000 to Indiana University for the purpose of financing educational access programming over the educational access channels of the two franchised cable television systems within Marion County (the Grant); and

WHEREAS, Section 181-703 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City-County Council; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 124, 1998, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of the recipient of each grant; and

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

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

SECTION 1. The Grant in the amount of \$30,000 to Indiana University is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

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

PROPOSAL NO. 244, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 244, 1999 on April 14, 1999. The proposal concerns a parking meter blackout on May 28, 1999, to encourage veterans and citizens to observe the Memorial Day activities. By an 8-0 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. 244, 1999 was adopted on the following roll call vote; viz:

April 26, 1999

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

0 NAYS:

2 NOT VOTING: *Black, Smith*

Proposal No. 244, 1999 was retitled SPECIAL RESOLUTION NO. 27, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1999

A SPECIAL RESOLUTION concerning a parking meter blockout on May 28, 1999, to encourage veterans and citizens to observe the Memorial Day activities.

WHEREAS, for many years Memorial Day weekend has been a very special time of year in Indianapolis; and

WHEREAS, this May will be the last Memorial Day weekend of the 20<sup>th</sup> Century; and

WHEREAS, special honored guests at this year's Memorial Day weekend in Indianapolis will be more than 90 living recipients of the nation's highest military award, the Medal of Honor; and

WHEREAS, on Friday, May 28<sup>th</sup>, the new Medal of Honor Memorial will be dedicated, and during that whole three day weekend a large number of veterans as well as Indianapolis citizens will want to attend the events to pay respect to our nation's true heroes; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizing the special importance of the 1999 Memorial Day weekend which includes the dedication of the new Medal of Honor Memorial, requests the Board of Asset Management and Public Works to issue a one-day blockout of the city's parking meters to demonstrate the city's thanks for all those who have served in the United States military, and especially this year for those who have earned our military's highest decoration.

SECTION 2. Free parking for that one day as an encouragement for more citizens to participate would publicly make evident that Indianapolis is proud of and supports these Medal of Honor heroes.

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.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 232-240, 1999 on April 14, 1999. He asked for consent to vote on Proposal Nos. 232-234, 1999 together. Consent was given.

PROPOSAL NO. 232, 1999. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal at Allisonville Road and Castle Creek Parkway (District 3). PROPOSAL NO. 233, 1999. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal at Delegates Row and North River Road (District 3). PROPOSAL NO. 234, 1999. The proposal, sponsored by Councillor SerVaas, authorizes a traffic signal at Westlane Road and Township Line Road (District 2). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 232-234, 1999 were adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Borst, Smith

Proposal No. 232, 1999 was retitled GENERAL ORDINANCE NO. 49, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 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 Castle Creek Pkwy	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. 233, 1999 was retitled GENERAL ORDINANCE NO. 50, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 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	Delegates Row River Rd	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. 234, 1999 was retitled GENERAL ORDINANCE NO. 51, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1999

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



April 26, 1999

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>
10	Township Line Rd Westlane Rd	Westlane 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>
10	Township Line Rd Westlane Rd	None	All Way Stop

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

Councillor Gilmer asked for consent to vote on Proposal Nos. 235-238, 1999 together. Consent was given.

PROPOSAL NO. 235, 1999. The proposal, sponsored by Councillor SerVaas, authorizes multi-way stops at Delaware Street and 70th Street, and at Park Avenue and 70th Street (District 2). PROPOSAL NO. 236, 1999. The proposal, sponsored by Councillor SerVaas, authorizes multi-way stops at Holliday Drive East/Holliday Drive West/Wellington Road, and at Illinois Street and Wellington Road (District 2). PROPOSAL NO. 237, 1999. The proposal, sponsored by Councillor Schneider, authorizes intersection controls for 90th Street and River Road, and for 90th Street and River Crossing Boulevard (District 3). PROPOSAL NO. 238, 1999. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Balmoral Road and Haymount Drive (District 18). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 235-238, 1999 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Borst, Coughenour*

Proposal No. 235, 1999 was retitled GENERAL ORDINANCE NO. 52, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 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 deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Delaware St 70 <sup>th</sup> St	70 <sup>th</sup> St	Stop
11	Park Av 70 <sup>th</sup> St	70 <sup>th</sup> 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>
11	Delaware St 70 <sup>th</sup> St	None	All Way Stop
11	Park Av 70 <sup>th</sup> St	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. 236, 1999 was retitled GENERAL ORDINANCE NO. 53, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 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 deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Illinois St Wellington Rd	Wellington 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>
11	Illinois St Wellington Rd	None	All Way Stop
11	Holliday Dr E Holliday Dr W Wellington Rd	None	All Way Stop

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

Proposal No. 237, 1999 was retitled GENERAL ORDINANCE NO. 54, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 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	River Rd 90 <sup>th</sup> St	River Rd	Stop
5	River Crossing Blvd 90 <sup>th</sup> St	None	All Way Stop

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

Proposal No. 238, 1999 was retitled GENERAL ORDINANCE NO. 55, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 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 deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29	Balmoral Rd Haymount Dr	Balmoral 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>
29	Balmoral Rd Haymount 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. 239, 1999. The proposal, sponsored by Councillor Massie, authorizes parking restrictions on Winchester Drive from Madison Avenue to Browning Drive (District 20). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass

as amended. Councillor Gilmer moved, seconded by Councillor Massie, for adoption. Proposal No. 239, 1999, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Borst*

Proposal No. 239, 1999, as amended, was retitled GENERAL ORDINANCE NO. 56, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1999

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:

*Winchester Drive*, on both sides, from Madison Avenue to Browning Drive

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

PROPOSAL NO. 240, 1999. The proposal, sponsored by Councillor Massie, authorizes parking restrictions for Southern Avenue between Manker Street and Shelby Street (District 20). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Massie, for adoption. Proposal No. 240, 1999 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Borst, Hinkle, SerVaas*

Proposal No. 240, 1999 was retitled GENERAL ORDINANCE NO. 57, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1999

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:

*Southern Avenue*, on the north side, from Manker Street to Shelby Street

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

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

The President convened the Police Special Service District Council.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 225 and 227, 1999 on April 7, 1999. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 225, 1999. The proposal approves an increase \$1,808,849 in the 1999 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to fund part of the cost of hiring additional street police officers financed by a federal grant. PROPOSAL NO. 227, 1999. The proposal approves an increase of \$3,066,852 in the 1999 Budget of the Department of Public Safety, Police Division (Police Service District Fund and Police Pension Fund) to pay part of the cost of hiring additional street police officers, purchase 126 laptop computers for current officers and new recruits, and pay overtime for additional Downtown patrols, financed by fund balances. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Dowden moved, seconded by Councillor Schneider, to make a technical amendment to Proposal No. 225, 1999 to show the funding as coming through the Department of Public Safety Police Division instead of coming from the Director's Office of the Department of Public Safety. Proposal No. 225, 1999 was amended by a unanimous voice vote.

Councillor Talley asked why the \$48 million pledged by the Mayor cannot be used for the funding on Proposal No. 225, 1999. Councillor Dowden stated that he does not understand what \$48 million Councillor Talley is referring to. Councillor Talley stated that he is referring to the \$48 million pledged to bring the Republican Party Convention to Indianapolis. Councillor McClamroch stated that the Mayor was not pledging tax dollars for this event and was not asking the Council to approve such a use of tax dollars. Councillor Talley asked why the Mayor cannot raise private monies to fund additional police. Councillor McClamroch stated that the Mayor felt he could raise from private sources the dollars necessary for the Republican National Convention.

Councillor Williams asked if any money is being taken from an underfunded Police Pension Fund for these new officers. Ann Lathrop, City Controller, stated that pension costs for these new officers are budgeted as part of this proposal, and that is why the Police Pension Fund is included in the proposal.

Councillor Talley stated that the overall 1999 budget was cut 31.6% in police overtime, and yet Proposal No. 227, 1999 adds \$750,000 in overtime for Downtown police protection. He stated that the neighborhoods are being taken for granted, and although he supports the proposal, he feels it is not fair to take away overtime from the neighborhoods.

Councillor Dowden stated that Proposal No. 225, 1999 is putting 50 more officers in the neighborhoods, and this is a more favorable option than overworking neighborhood police with extreme overtime.

The President called for public testimony at 10:20 p.m.

Carl Kelly, Organization for a New Eastside, stated that he supports additional police in the City, but is opposed to cutting \$750,000 from the neighborhoods to fund overtime for police Downtown. He added that 90% of the crime in Indianapolis occurs in the neighborhoods, not Downtown, and this is a slap in the face to the neighborhoods.

Councillor Dowden stated that the \$750,000 is coming from the Capital Improvement Board and Downtown merchants and is not taking money away from putting 50 more officers in the neighborhoods.

Ken Moran, President of the Organization for a New Eastside, stated that 50 additional officers split between five police districts only allots 10 additional officers per district, which is not sufficient.

Kenny New, eastside citizen, stated that the City needs to devote more money to police protection in the neighborhoods, especially the east district.

Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 225, 1999, as amended, and Proposal No. 227, 1999 were adopted on the following roll call vote; viz:

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

Councillor McClamroch challenged Councillor Talley to establish the 31% reduction he referred to in police overtime in the 1999 budget. He stated that he does not believe with additional appropriations that this is accurate, and he would like to see the numbers to back up that claim. Councillor Talley agreed to provide this information to Councillor McClamroch.

Proposal No. 225, 1999, as amended, was retitled **POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1999**, and reads as follows:

**POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1999**

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1999 (Police Special Service District Fiscal Ordinance No. 8, 1998) appropriating an additional One Million Eight Hundred Eight Thousand Eight Hundred Forty-nine Dollars (\$1,808,849) 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 of the Police Special Service District Annual Budget for 1999 be, and is hereby

amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to fund part of the cost of hiring additional street police officers.

SECTION 2. The sum of One Million Eight Hundred Eight Thousand Eight Hundred Forty-nine Dollars (\$1,808,849) 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>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
1. Personal Services	<u>FEDERAL GRANTS FUND</u>
	<u>1,808,849</u>
TOTAL INCREASE	1,808,849

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>1,808,849</u>
TOTAL REDUCTION	1,808,849

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 controller are directed to notify in writing the Police Special Service District 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. 227, 1999 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1999, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1999

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Budget for 1999 (City-County Police Special Service District Ordinance No. 8, 1998) appropriating an additional Three Million Sixty-six Thousand Eight Hundred Fifty-two Dollars (\$3,066,852) in the Police Service District Fund and Police Pension Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund and Police Pension 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 of the Police Special Service District Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for funding part of the cost of hiring additional street police officers, purchasing 126 laptop computers for current officers and new recruits, and paying overtime for additional Downtown patrols.

SECTION 2. The sum of additional Three Million Sixty Six Thousand Eight Hundred Fifty-two Dollars (\$3,066,852) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	
1. Personal Services	<u>POLICE PENSION FUND</u>
	<u>149,127</u>
TOTAL INCREASE	149,127

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

POLICE SERVICE DISTRICT FUND

1. Personal Services	1,362,685
2. Supplies	178,200
4. Capital Outlay	1,332,840
5. Internal Charges	<u>44,000</u>
TOTAL INCREASE	2,917,725

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

POLICE PENSION FUND

Unappropriated and Unencumbered	
Police Pension Fund	<u>149,127</u>
TOTAL REDUCTION	149,127

POLICE SERVICE DISTRICT FUND

Unappropriated and Unencumbered	
Police Service District Fund	<u>2,917,725</u>
TOTAL REDUCTION	2,917,725

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

The President reconvened the City-County Council, and passed the gavel to Vice President McClamroch.

**NEW BUSINESS**

Councillor Short stated that he has a problem with an administration that will be leaving in six months handing out contracts for a 10-year period. He stated that he feels more discussion needs to be conducted before such a decision is made. He added that he received a 700-page document of proposals and recommendations for contracts that the four-member Parks Board must read in a two-week span and make decisions. He stated that more time needs to be given to these issues. The Vice President asked Councillor Short to submit these issues in writing so that the administration can review them.

Councillor Black asked if the study on insurance for employees has progressed. Councillor Hinkle stated that he has not had time to sit down with the City representatives, but he will be sure to do that before the next meeting.

The Vice President returned the gavel to President SerVaas.

**ANNOUNCEMENTS AND ADJOURNMENT**

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

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

- ( 1) Councillor Coughenour in memory of Bertha Lugar Caldwell ; and
- ( 2) Councillor Talley in memory of Peter Clayton Scholar ; and
- ( 3) Councillor Moores in memory of John R. Meyer ; and
- ( 4) Councillor Moriarty Adams in memory of Mary Conder, Alice Dailey, and Ward Taylor.



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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 Bertha Lugar Caldwell, Peter Clayton Scholar, John R. Meyer, Mary Conder, Alice Dailey, and Ward Taylor. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:25 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 26th day of April, 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)