

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

**REGULAR MEETINGS
MONDAY, MAY 17, 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 7:17 p.m. on Monday, May 17, 1999, with Councillor SerVaas presiding.

Councillor Dowden introduced Pastor Emeritus of East 91st Street Christian Church, Russell Blowers, who led the opening prayer. Councillor Dowden invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

1 ABSENT: Jones

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Bradford recognized Bruce Galbraith, Headmaster of the Park Tudor School. Councillor Gilmer introduced Boy Scout Troop 174 from Immaculate Heart of Mary.

OFFICIAL COMMUNICATIONS

The President stated that reports from National League of Cities attendees will be given at a later date. Councillor Hinkle asked for consent to postpone the Wellfield presentation until the next Council meeting on June 7, 1999. Consent was given.

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, May 17, 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 27, 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 30, 1999, a copy of a Notice of Public Hearing on Proposal Nos. 222, 263, 269, 272-277, 280, and 291, 1999, said hearing to be held on Monday, May 17, 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)

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:

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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 blackout 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.

Councillor Hinkle asked for consent to move Proposal No. 267, 1999 to the first item under Priority Business due to the large number of people in attendance in support of the proposal. Consent was given.

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of April 26, 1999. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 330, 1999. The proposal, sponsored by Councillors Dowden and Bradford, recognizes the Billy Graham Crusade. Councillor Dowden read the proposal and presented Pastor Blowers, one of the chairmen of the event, with a copy of the document and a Council pin. Pastor Blowers thanked the Council for the recognition on behalf of Billy Graham and the other event organizers. Councillor Dowden moved, seconded by Councillor Bradford, for adoption. Proposal No. 330, 1999 was adopted by a unanimous voice vote.

Proposal No. 330, 1999 was retitled SPECIAL RESOLUTION NO. 28, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1999

A SPECIAL RESOLUTION recognizing the Billy Graham Crusade.

WHEREAS, from June 3 through June 6, Indianapolis will host the Billy Graham Crusade for the third time in the last half of this century; and

WHEREAS, since the founding of the Billy Graham Evangelical Association in 1950, the Graham Crusade has been in hundreds of cities throughout the world with over 200 million people attending and untold millions hearing or watching by means of radio and television; and

WHEREAS, although Billy Graham, often referred to as the "World's Preacher," has ministered to and counseled government leaders around the world, particularly all United States Presidents from Dwight Eisenhower

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to Bill Clinton, he has never forgotten his rural North Carolina heritage, and has humbly and consistently delivered the simple but profound Gospel as it was first preached by the Apostles at Pentecost, and

WHEREAS, people from all walks of life, out of concern for the cultural climate in our land, are calling for a renewal of spiritual values; 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 welcomes Dr. Billy Graham and the Graham Crusade Team to Indianapolis.

SECTION 2. The Council extends best wishes to Edwin J. Simcox, Chairman of the Indiana Billy Graham Crusade, and Russell F. Blowers, Honorary Chairman, for a successful crusade.

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

PROPOSAL NO. 331, 1999. The proposal, sponsored by Councillor SerVaas, recognizes the American Legion National Headquarters and the National Adjutant Robert W. Spanogle. Councillor SerVaas read the proposal and presented Adjutant Spanogle with a copy of the document and a Council pin. Adjutant Spanogle thanked the Council for the recognition. Councillor SerVaas moved, seconded by Councillor Borst, for adoption. Proposal No. 331, 1999 was adopted by a unanimous voice vote.

Proposal No. 331, 1999 was retitled SPECIAL RESOLUTION NO. 29, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1999

A SPECIAL RESOLUTION recognizing the American Legion National Headquarters and the National Adjutant Robert W. Spanogle.

WHEREAS, the American Legion organization was founded in Paris, France, in 1919 by World War I soldiers and sailors, and that same year was officially chartered by the United States Congress; and

WHEREAS, Resolution No. 1, 1920, of the Indianapolis City Council commended the new patriotic organization, pledged the city and county's cooperation and support, and even sent a delegation of Council members to personally deliver the Resolution to the American Legion officers; and

WHEREAS, during the ensuing 80 years the American Legion grew to three million veteran members in 14,000 local posts, and has been in the forefront of: Patriotism, the "Flag Code", sponsorship of baseball, Boys State, oratory contests about the Constitution, veterans benefits including the GI Bill, was the largest donor to the Vietnam "Wall" in Washington, D.C., conducts firearms safety training, sponsors over 1,700 Scouting units, partnered with the Smithsonian to solve their "Enola Gay" controversial display, and its Legion posts have given an almost incalculable amount of volunteer time and resources throughout America; and

WHEREAS, the American Legion is a major corporate citizen in Indianapolis with 240 employees in two locations and has just broken ground at the former Fort Benjamin Harrison location for a new \$4 million facility; and

WHEREAS, the Legion's very capable National Adjutant, or Chief of Staff since 1981, is Indianapolis Southside resident Robert W. Spanogle, an Army veteran, who has helped increase the Legion's membership by 500,000 in five years. He has served as a veterans' consultant to the National League of Cities, and has served locally on Boards of the Boy Scouts, the 500 Festival Associates, the Kiwanis Club of Indianapolis and as a Trustee of St. Mary-of-the-Woods College; now, therefore:

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

SECTION 1. After 80 years, the Indianapolis City-County Council reiterates its pride that Indianapolis is the host city for the American Legion National Headquarters.

SECTION 2. As the American Legion celebrates its 80th Anniversary year, the Council congratulates the Legion, its National Adjutant Robert W. Spanogle, every veteran who during the past eight decades has been a proud member of this patriotic organization, and to those very special veterans who have been awarded America's highest award, the Congressional Medal of Honor, who will be in the IPALCO 500 Festival Parade in Indianapolis on May 29th, once named by WWI soldiers as Armistice Day.

SECTION 3. The Mayor is invited to join us 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. 332, 1999. The proposal, sponsored by Councillors Massie, Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, and Williams, welcomes the Medal of Honor heroes to Indianapolis. Councillor Massie read the proposal and presented Sammy Davis and Melvin Biddle, two Medal of Honor heroes, with copies of the document and Council pins. Mr. Davis and Mr. Biddle thanked the Council for this recognition. Councillor Massie moved, seconded by Councillor Short, for adoption. Proposal No. 332, 1999 was adopted by a unanimous voice vote.

Proposal No. 332, 1999 was retitled SPECIAL RESOLUTION NO. 30, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1999

A SPECIAL RESOLUTION welcoming the Medal of Honor heroes to Indianapolis.

WHEREAS, since the Civil War, of all the millions who have served in America's military, only 3,400 men and one woman have been bestowed with our nation's highest award that was authorized by Congress over 135 years ago—the Medal of Honor; and

WHEREAS, most recipients of the Medal of Honor never set out to be heroes, but the necessity of the moment in the heat of battle brought forth these few who in the South Pacific islands, Belgium, Italy, South Vietnam, the cold hills of Korea, the trenches of France, and elsewhere all distinguished themselves with extraordinary courage, valor and honor; and

WHEREAS, thanks to the initiative of IPALCO Enterprises, all living recipients of this highest award have been invited to be Grand Marshals of the last IPALCO 500 Festival Parade of the 20th Century on May 29, 1999, and to witness the dedication of the unique and very special Congressional Medal of Honor Memorial in Indianapolis; 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 welcomes the Medal of Honor recipients to Indianapolis for the 1999 Memorial Day activities.

SECTION 2. The Council expresses its deepest appreciation and respect to these real heroes who serve as an inspiration for all Americans.

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. 333, 1999. The proposal, sponsored by Councillor McClamroch, recognizes the 100th Anniversary of the Indianapolis Mater Dei Council #437 of the Knights of Columbus.

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Councillor McClamroch read the proposal and presented Jim Schneider and Victor Depolis with copies of the document and Council pins. Mr. Schneider thanked the Council for the recognition. Councillor McClamroch moved, seconded by Councillor Gilmer, for adoption. Proposal No. 333, 1999 was adopted by a unanimous voice vote.

Proposal No. 333, 1999 was retitled SPECIAL RESOLUTION NO. 31, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1999

A SPECIAL RESOLUTION recognizing the 100th Anniversary of the Indianapolis Mater Dei Council #437 of the Knights of Columbus.

WHEREAS, the Knights of Columbus has its roots in a meeting convened by a young Roman Catholic priest in a church basement in Connecticut during late 1881, and was formally organized early the next year; and

WHEREAS, open to all practical Catholic men over 18 years of age, the K of C has now grown to over 1.6 million members in over 11,000 local councils most of which are associated with a local parish; and

WHEREAS, a few years after the national K of C's founding, in 1899, the Indianapolis Mater Dei Council #437 was organized with 44 charter members, grew and prospered, and spun off a half dozen offspring chapters in the city; and

WHEREAS, Council #437's proud history includes helping found the Gibault School for Boys near Terre Haute and an industrial school for boys in Plainfield, and organized a very popular Babe Ruth Day in Indianapolis where the popular Knights of Columbus member would come to town each year to inspire the young men and autograph baseballs for charity; and

WHEREAS, to this day Council #437 donates generously to Catholic schools and special funds, support Catholic seminary students, and gives to the United Christmas Fund and to the Salvation Army; 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 congratulates Mater Dei Council #437 of the Knights of Columbus on North Delaware Street during their one hundredth anniversary year.

SECTION 2. Council #437 was organized in the 19th Century, lived and worked their goals of charity, unity, fraternity and patriotism throughout the 20th Century, and look forward to soon taking their mission into the 21st Century and Second Millennium.

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. 334, 1999. The proposal, sponsored by Councillor Massie, recognizes Garfield Park area leader Marjorie Nackenhorst. Councillor Massie read the proposal and presented Mrs. Nackenhorst with a copy of the document and a Council pin. Mrs. Nackenhorst thanked the Council for the recognition. Councillor Massie moved, seconded by Councillor Borst, for adoption. Proposal No. 334, 1999 was adopted by a unanimous voice vote.

Proposal No. 334, 1999 was retitled SPECIAL RESOLUTION NO. 32, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1999

A SPECIAL RESOLUTION recognizing Garfield Park area leader Marjorie Nackenhorst.

WHEREAS, John and Marjorie Nackenhorst moved to the Garfield Park area on the south side of Indianapolis in 1946, right after World War II, in a year that the city public works department had to pay \$6,300 in delinquent electric bills for the strapped parks department; and

WHEREAS, it was over 50 years ago when Marjorie tackled the park's tennis courts which desperately needed resurfaced, and for the next five decades she pushed hard for improvements of the century old Garfield Park and for the neighborhood; and

WHEREAS, she started a "Save the Pagoda" fund in the 1970's, she rallied the troops to get the city to save the park conservatory and the Civil War Memorial, and later to revitalize the World War I "Grove of Remembrance", and still more recently to restore the Sunken Gardens, and even for the city to find the money to replace the turn-of-the-century neighborhood fire station; and

WHEREAS, Mrs. Nackenhorst was a Republican precinct Vice Committeeman and Committeeman from 1963 through 1999, and since Mayor Lugar's 1968 Inauguration event she has carried the honorary title of "Mayor of Garfield Park"; 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 Marjorie Nackenhorst who has been a dynamic, focused and steadfast neighborhood leader for the past 13 Indianapolis Mayors from Mayor Tyndall through Goldsmith.

SECTION 2. The Council asks the Parks Board to consider naming some place in Garfield Park as a tribute to Marjorie Nackenhorst for her half century of active support of the Park and neighborhood.

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. 264, 1999. Councillor McClamroch reported that the Metropolitan Development Committee heard Proposal No. 264, 1999 on May 10, 1999. The proposal, sponsored by Councillor Hinkle, appoints Darrell Bakken to the Metropolitan Board of Zoning Appeals Division III. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch moved, seconded by Councillor Hinkle, for adoption. Proposal No. 264, 1999 was adopted by a unanimous voice vote.

Proposal No. 264, 1999 was retitled COUNCIL RESOLUTION NO. 56, 1999, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1999

A COUNCIL RESOLUTION appointing Darrell Bakken 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:

Darrell Bakken

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.

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Councillor Boyd referred to a letter he had written to the President of the Council and the Baker & Daniels Law Firm regarding the recent litigation appeal of the library tax increase on behalf of the Council. He stated that he is not comfortable with such an action being taken on behalf of the Council without Council discussion beforehand. He stated that he would like to discuss this appeal as the Committee as a Whole and take a formal vote on such an action.

Councillor McClamroch moved, seconded by Councillor Borst, to refer such a discussion to the Rules and Public Policy Committee.

Councillor Williams stated that she is strongly opposed to individuals taking this action on behalf of the Council when she is a member of the Council and her opinion has not been taken into consideration. She stated that feedback from her constituents has shown that the community is opposed to this appeal.

Councillor Boyd stated that he could support the motion to send the discussion to the Committee if all litigation will cease until the matter can be brought back before the Council as a whole. He asked if an official correspondence could be drafted to Baker & Daniels from the Council asking for such a continuance. Councillor McClamroch stated that the Council can instruct the law firm to issue no further appeals, but the initial litigation is in process, and it is up to the court to grant any continuance in the case which has already been filed. Councillor Williams asked if the Council can stop the law firm from charging for further time on the appeal until a decision is made. General Counsel Robert Elrod stated that the law firm is obligated to spend time on the appeal as necessary by court action.

Councillor Curry stated that the Council could talk to the Office of Corporation Counsel about delaying any further work on the case until the Council reaches an agreement. Councillor Boyd stated that this does not assure that the law firm will not continue to bill time to the City for this lawsuit. Councillor McClamroch stated that he will personally call and ask the law firm not to act further until the Council can discuss the issue, but that he cannot guarantee that this is possible.

Councillor Boyd stated that he sent a letter to Baker & Daniels regarding this suit, and has not received a response from them in writing. Councillor Coonrod stated that a representative from the firm asked to visit the Democratic Caucus this evening to explain the appeal and was refused. Councillor Boyd stated that he requested a response in writing and did not get what he requested.

The President called for a vote on the motion to refer this discussion to the Rules and Public Policy Committee. The discussion regarding the appeal of the library tax increase was referred to the Rules and Public Policy Committee by the following roll call vote; viz:

17 YEAS: Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, Schneider, SerVaas, Shambaugh, Smith, Tilford

9 NAYS: Boyd, Brents, Franklin, Golc, Gray, O'Dell, Short, Talley, Williams

2 NOT VOTING: Black, Gilmer

1 ABSENT: Jones

Councillor Williams stated that this referral means that the Council will not hear the matter again until June 21, 1999. The President stated that he will ask all partners to work in a transparent manner until that discussion can take place.

Councillor Boyd stated that he is distressed that a portion of this body would take it upon themselves to speak for him and the constituents he represents regarding an appeal based on personal agendas.

The President stated that during the budget process last year, the Council made a unanimous vote not to support the reserve fund the library had requested and not to support any increases in taxes or the budget. He stated that the Council is defended by the Office of Corporation Counsel in many lawsuits and this is simply another example of such a situation.

Councillor Boyd stated that this appeal is a very sensitive community subject and is very different from the routine litigation Corporation Counsel performs on behalf of the Council.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 279, 1999. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which calls for a reprimand of the Chairman of the Council's Public Safety and Criminal Justice Committee for violation of Section 151-30 of the Revised Code"; and the President referred it to the Rules and Public Policy Committee.

Councillor Talley asked why Proposal No. 279, 1999 was not handled in the same manner as Proposal No. 296, 1999, which reprimanded another Council member at the last meeting of the full Council. He stated that Proposal No. 296, 1999 was not referred to Committee but was discussed by the Committee as a Whole. He asked why Proposal No. 279, 1999 is being referred to a Committee. Councillor McClamroch stated that Proposal No. 296, 1999 dealt with a situation that occurred in a meeting of the Council as a whole and Proposal No. 279, 1999 deals with a Committee decision which is a complex issue.

PROPOSAL NO. 297, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$18,454 in the 1999 Budget of the Wayne Township Assessor (County General Fund) to pay for emergency water damage repair to the township headquarters building to prevent further damage, financed from fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 306, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes an operating agreement between the Department of Parks and Recreation and Jerry Hayslett for the management and operation of Eagle Creek Municipal Golf Course"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 307, 1999. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes an operating agreement between the Department of Parks and Recreation and Jan Tellstrom (Tellstrom Group) for the management and operation of Smock Municipal Golf Course"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 308, 1999. Introduced by Councillor Moores. The Clerk read the proposal entitled: "A Proposal for a General Resolution which concerns the treatment of police and fire pension contributions"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 309, 1999. Introduced by Councillor Moores. The Clerk read the proposal entitled: "A Proposal for a General Resolution which concerns the tax treatment of sheriff deputy's contribution to pension plan"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 310, 1999. Introduced by Councillor Moores. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which amends the Sheriff's Pension Plan"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 311, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$57,300 In the 1999 Budgets of the Prosecuting Attorney and County Auditor (State and Federal Grants Fund) to pay for 85% of the salary for one deputy prosecutor and partial salary for a victim/witness advocate in the Regional Gang Interdiction Program, funded by a grant from the Indiana Criminal Justice Institute through the Johnson County Prosecutor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 312, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$12,000 in the 1999 Budget of the Prosecuting Attorney (County Grants Fund) for operating costs related to "A Child's Haven," a waiting room for children located in the City-County Building, funded by a grant from the Indianapolis Bar Foundation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 313, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$16,500 in the 1999 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant for Reach for Youth for the Adolescent Sexual Adjustment Program 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. 314, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$54,740 in the 1999 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund a grant for Reach for Youth for Marion County Teen Court, 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. 315, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$65,000 in the 1999 Budgets of Marion County Superior Court, Juvenile Division, and County Auditor (State and Federal Grants Fund) to pay for improving the flow of CHINS (Children in Need of Services) cases in Marion County and to put these cases within the court system on fast track, funded by a

grant from the Indiana Judicial Center”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 316, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$815,000 in the 1999 Budget of the Marion County Justice Agency (Law Enforcement Equitable Share Fund) for law enforcement activities funded by federal forfeitures”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 317, 1999. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$100,000 in the 1999 Budget of the County Auditor (Enhanced Access Fund) to pay the expenses of providing enhanced access services funded by enhanced access fees”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 318, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$1,723,075 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Disposal Fund) to pay the increased costs of private trash hauler contracts, financed by fund balances”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 319, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves a transfer of \$451,642 and an increase of \$786,117 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Disposal Fund) to more accurately reflect accounting of costs between the Solid Waste Collection and Solid Waste Disposal funds, financed by a transfer between characters and a reduction of fund balances ”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 320, 1999. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which approves a transfer of \$210,225 in the 1999 Budget of the Department of Public Works, Solid Waste Management Division (Solid Waste Collection Service District Fund) and an increase of \$986,117 in the Solid Waste Collection Service District Fund to more accurately reflect accounting of costs between the Solid Waste Collection and Solid Waste Disposal Funds”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 321, 1999. Introduced by Councillor Smith. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal at Southeastern Avenue and Miller Drive (District 23)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 322, 1999. Introduced by Councillor Golc. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Delmar Avenue and Gerrard Drive (District 17)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 323, 1999. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes the change in preferential for

Delray Drive and Wild Horse Lane (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 324, 1999. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Bolton Avenue, on the west side, from Washington Street to a point 110 feet north of Washington Street (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 325, 1999. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on River Avenue near Standard Avenue (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 326, 1999. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on 13th Street between Illinois Street and Meridian Street and on 13th Street between Senate Avenue and Illinois Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 335, 1999. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which encourages railroad safety"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 336, 1999. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns possession and use of alcoholic beverages or controlled substances on properties under the jurisdiction or control of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 267, 1999. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 267, 1999 on May 10, 1999. The proposal, sponsored by Councillor Brents, designates Belmont Avenue from Michigan Street to White River Parkway, West Drive, as the "Reverend Mozel Sanders Memorial Way." By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Pastor Roosevelt Sanders, son of the late Reverend Mozel Sanders, thanked the Council for such a recognition. Councillor Hinkle moved, seconded by Councillor Brents, for adoption. Proposal No. 267, 1999 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Coonrod, Dowden, Smith

1 ABSENT: Jones

Proposal No. 267, 1999 was retitled SPECIAL RESOLUTION NO. 33, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1999

A SPECIAL RESOLUTION designating Belmont Avenue from Michigan Street to White River Parkway, West Drive as the "Reverend Mozel Sanders Memorial Way."

WHEREAS, Reverend Mozel Sanders was the pastor of Mount Vernon Community Missionary Baptist Church from 1959 until the Lord called him home in 1988; and

WHEREAS, Rev. Sanders was best known for his work in feeding the hungry on Thanksgiving Day, which began with feeding 20 people and grew to supplying dinner for 20,000 folks each November; and

WHEREAS, born to a poor but proud family in East St. Louis, Illinois, he moved to Indianapolis in 1945, where he worked in a foundry and began gravitating more and more to doing the Lord's work; and

WHEREAS, Rev. Sanders established the Indianapolis Chapter of Opportunities Industrialization Centers job training organization, preached, marched for civil rights, served as a liaison with the police department and for 17 years hosted a popular WTLC radio show called *The Way Out*; and

WHEREAS, his funeral at the Indiana Convention Center in 1988 drew a thousand people with eulogies given by several ministers, civil rights leaders, the Mayor and Congressman, state legislators, and a full measure of singing that would make Rev. Sanders proud was performed by a mass choir; and

WHEREAS, Subsequent to his death, Rev. Mozel Sanders was named "*The Indianapolis Star*" newspaper's "Man of the Year," he was inducted into Crown Hill Cemetery's "Pillars of Society" hall of fame, and the Indianapolis Board of Parks and Recreation voted to rename Haughville Park on the near Westside as the Rev. Mozel Sanders Park in memory of the historic community leader; 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 does hereby recognize the inspiring life of Rev. Mozel Sanders by designating a section of Belmont Avenue from Michigan Street to White River Parkway, West Drive as the "Reverend Mozel Sanders Memorial Way."

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

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 327-329, 1999 on May 13, 1999.

PROPOSAL NO. 327, 1999. The proposal is an inducement resolution for Partners In Action in an amount not to exceed \$10,000,000 to be used for the acquisition, renovation and upgrading of the existing 336-unit Fox Club Apartments located at 4401 South Keystone Avenue (Fox Club Apartments Project) (District 24). By a 5-0 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. 327, 1999 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Bradford, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, Shambaugh, Smith, Talley, Tilford

0 NAYS:

8 NOT VOTING: Brents, Coonrod, Golc, Hinkle, Massie, SerVaas, Short, Williams

1 ABSENT: Jones

Proposal No. 327, 1999 was retitled SPECIAL RESOLUTION NO. 34, 1999, and reads as follows:

May 17, 1999

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1999

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

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

WHEREAS, Partners In Action, a 501(c)(3) organization (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and upgrading of the existing 336-unit Fox Club Apartments situated on approximately 25.43 acres located at 4401 South Keystone Avenue, Indianapolis, Indiana (the "Project"); and

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

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

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$10,000,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition, renovation and upgrading of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and upgrading of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation and upgrading of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires November 30, 1999, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds this inducement resolution is still in effect; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

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

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

PROPOSAL NO. 328, 1999. The proposal, sponsored by Councillor Borst, is an inducement resolution for Partners in Action in an amount not to exceed \$19,100,000 to be used for the acquisition, renovation and upgrading of the existing 588-unit Lake Nora Arms Apartments located at 9000 North College Avenue (Lake Nora Arms Apartments Project) (District 3). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 328, 1999 was adopted on the following roll call vote; viz:

17 YEAS: Boyd, Cockrum, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Talley, Tilford

0 NAYS:

11 NOT VOTING: Black, Borst, Bradford, Brents, Coonrod, Dowden, Hinkle, Massie, Schneider, Short, Williams

1 ABSENT: Jones

Proposal No. 328, 1999 was retitled SPECIAL RESOLUTION NO. 35, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1999

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

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

WHEREAS, Partners In Action, a 501(c)(3) organization (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and upgrading of the existing 588-unit Lake Nora Arms Apartments situated on approximately 34.13 acres located at 9000 North College Avenue, Indianapolis, Indiana (the "Project"); and

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

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

May 17, 1999

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$19,100,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition, renovation and upgrading of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and upgrading of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation and upgrading of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires November 30, 1999, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds this inducement resolution is still in effect; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

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

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

PROPOSAL NO. 329, 1999. The proposal, sponsored by Councillor Borst, is an inducement resolution for Park Tudor Foundation, Inc. in an amount not to exceed \$13,000,000 to be used for expansion and renovation of the Upper School and Fine Arts Building located at 7200 North College Avenue (Park Tudor School Project) (District 2). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Black, for adoption. Proposal No. 329, 1999 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Curry, Dowden, Franklin, Golc, Gray, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Talley, Tilford, Williams

0 NAYS:

7 NOT VOTING: Coonrod, Coughenour, Gilmer, Hinkle, Massie, Moores, Short

1 ABSENT: Jones

Proposal No. 329, 1999 was retitled SPECIAL RESOLUTION NO. 36, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1999

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

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

WHEREAS, Park Tudor Foundation, Inc. d/b/a Park Tudor School (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same. The Applicant will use the proceeds of the financing to proceed with the expansion and renovation of the Upper School and Fine Arts Building and to acquire machinery, equipment and/or other fixtures for use at the educational facilities located at 7200 North College Avenue on approximately a 55 acre parcel of land (Park Tudor School Project). In addition, the Applicant will use the proceeds of the financing to (i) refinance or reimburse itself for all or a portion of the costs of the financing, construction, renovation, remodeling, and equipping of certain of its educational facilities; (ii) pay a portion of the interest to accrue on the bonds and to fund certain reserves for the bonds; and (iii) pay certain costs relating to the issuance of the bonds. The educational facilities developed under this proposal will provide educational services and enrichment (including cultural, intellectual, scientific, or artistic opportunities) to school age residents of Indianapolis and Marion County. The Applicant will oversee the construction and operation of the educational facilities. The Applicant's educational facility admission policy provides that students will be considered for admission without regard to race, sex, color, religion, national origin, ancestry, or handicap. The educational facilities will not be used primarily for sectarian instruction or study or as a place of devotional activities and will not be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination (the "Project");

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

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

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$13,000,000 under the Act to be privately placed or publicly offered with credit enhancement for the expansion, renovation and equipping of the Project and

the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the expansion, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the expansion, renovation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires November 30, 1999, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds this inducement resolution is still in effect; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

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

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

RESOLUTION NO. 86, 1999 and RESOLUTION NO. 87, 1999, adopted by the Board of Asset Management and Public Works, establishing vehicle loading zones in the Regional Center, which resolutions were certified to the Council on May 6, 1999, pursuant to Sec. 621-423 of the Revised Code of the Consolidated City and County. Loading Zone Resolution Nos. 86 and 87, 1999 were ratified by a unanimous voice vote.

PROPOSAL NOS. 337-345, 1999. Introduced by Councillor Hinkle. Proposal Nos. 337-345, 1999 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 17, 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. 78-86, 1999**, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 78, 1999.
99-Z-23 (99-DP-5) (Amended)

5500 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

MAINSTAY, INC, by Joseph D. Calderon, requests a rezoning of 13 acres, being in the D-A District, to the D-P classification to provide for a mixed residential development.

REZONING ORDINANCE NO. 79, 1999.

99-Z-28 (99-DP-6)

9502 COOPER ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

TRINITY HOMES, LLC, by Stephen D. Mears, requests a rezoning of 45.7 acres, being in the D-A, D-S & D-1 Districts, to the D-P classification to provide for single-family residential development on 65 lots, to be developed with an existing planned unit development to the south named.

REZONING ORDINANCE NO. 80, 1999.

99-Z-39

9150 EAST 21ST STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

STEPHEN B. HOKANSON, by Mary E. Solada, requests a rezoning of 20 acres, being in the D-6II District, to the C-1 classification to provide for commercial office-buffer development.

REZONING ORDINANCE NO. 81, 1999.

99-Z-51

1406 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

PARAGON DEVELOPMENT, INC., by Joseph D. Calderon, requests a rezoning of 9.9 acres, being in the D-A District, to the D-6II classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 82, 1999.

99-Z-53 (99-DP-11)

2701 BANTA ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

C.P. MORGAN COMMUNITIES, L.P., by Brian Tuohy, requests a rezoning of 31.3 acres, being in the D-P District, to the D-P classification to provide for single-family residential development.

REZONING ORDINANCE NO. 83, 1999.

99-Z-55

495 SOUTH POST ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

DOUBLE ELEVEN CREDIT UNION, by Brian J. Tuohy, requests a rezoning of 7 acres, being in the I-2-S District, to the C-1 classification to provide for construction and operation of a credit union.

REZONING ORDINANCE NO. 84, 1999.

99-Z-58

7929 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2

HUMANE SOCIETY OF INDIANAPOLIS, by Joseph M. Scimia, requests a rezoning of 13.528 acres, being in the SU-7 and C-3 Districts, to the SU-7 classification to provide for construction of an additional parking lot for an existing not-for-profit organization.

REZONING ORDINANCE NO. 85, 1999.

99-CP-9Z

4602-4608 NORTH KEYSTONE AVENUE (approximate address) INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #6.

GERSHMAN-BROWN & ASSOCIATES, by Joseph D. Calderon, requests a rezoning of 1.6 acres, being in the C-1, C-3, and C-5 Districts, to the C-3 classification to provide for development of a pharmacy.

REZONING ORDINANCE NO. 86, 1999.

99-CP-13Z

15 WEST SOUTH STREET, 402 – 552 SOUTH MERIDIAN STREET, 501 – 545 SOUTH ILLINOIS STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

May 17, 1999

KITE MERIDIAN, LLC, by Joseph M. Scimia, requests a rezoning of 6.1 acres, being in the I-3-U (RC), C-S (RC), and CBD-2(RC) Districts, to the CBD-2 (RC) classification to provide for office uses with accessory parking.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 201, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 201, 1999 on April 14, 1999. Additional questions were raised at the meeting of the full Council on April 26, 1999, and the proposal was postponed. 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 each Councillor received a letter from Dennis Neidigh, Director of the Department of Capital Asset Management, clearing up those questions raised at the last meeting. 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 9:11 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Bradford, for adoption. Proposal No. 201, 1999 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Brents, Curry, Short

1 ABSENT: Jones

Councillor Borst stated that although he voted in favor of the proposal, he does not feel the south side is benefiting as they should from such a project.

Proposal No. 201, 1999 was retitled FISCAL ORDINANCE NO. 44, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Fourteen Million Dollars (\$14,000,000) in the Transportation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(1) 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 Capital Asset Management, Asset Management Division, 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 the State of Indiana.

SECTION 2. The sum of Fourteen Million Dollars (\$14,000,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
4. Capital Outlay	<u>14,000,000</u>
TOTAL INCREASE	14,000,000

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>14,000,000</u>
TOTAL REDUCTION	14,000,000

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

PROPOSAL NO. 222, 1999. Councillor Franklin reported that the Community Affairs Committee heard Proposal No. 222, 1999 on April 14, 1999. The proposal, sponsored by Councillor O'Dell, approves an increase of \$1,000,000 In the 1999 Budget of the Marion County Children's Guardian Home (General Fund-Guardian Home) to cover construction costs funded by County General Fund balances. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:14 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 222, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 222, 1999 was retitled FISCAL ORDINANCE NO. 45, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional One Million Dollars (\$1,000,000) in the General Fund-Guardian Home for purposes of the Marion County Children's Guardian Home and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(ee) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Children's Guardian Home to cover construction costs for the Guardian Home.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY CHILDREN'S GUARDIAN HOME</u>	<u>GENERAL FUND-GUARDIAN HOME</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

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

PROPOSAL NO. 228, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 228, 1999 on April 7, 1999. The proposal was postponed in Council on April 26, 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 Schneider, to postpone Proposal No. 228, 1999 until June 21, 1999. Proposal No. 228, 1999 was postponed by a unanimous voice vote.

PROPOSAL NO. 263, 1999. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 263, 1999 on May 10, 1999. The proposal 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:18 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 263, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 263, 1999 was retitled FISCAL ORDINANCE NO. 46, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Five Million Four Hundred Twelve Thousand Two Hundred and Nine Dollars (\$5,412,209) in the Federal Grants Fund and the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Community Development and Financial Services, and the Division of Planning, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund and 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 (j) 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 Metropolitan Development, Community Development and Financial Services Division, and the Division of Planning, to plan activities associated with the reuse of the Naval Air Warfare Center and to support and to provide affordable housing and economic development opportunities for the citizens of Indianapolis.

SECTION 2. The sum of Five Million Four Hundred Twelve Thousand Two Hundred and Nine Dollars (\$5,412,209) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>DIV. OF COMMUNITY DEVELOPMENT & FINANCIAL SERVICES</u>	
3. Other Services and Charges	<u>3,288,067</u>
4. Capital Outlay	<u>1,827,813</u>
TOTAL INCREASE	5,115,880

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>DIVISION OF PLANNING</u>	
2. Supplies and Materials	500
3. Other Services and Charges	<u>70,829</u>
TOTAL INCREASE	71,329

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>DIV. OF COMMUNITY DEVELOPMENT & FINANCIAL SERVICES</u>	
<u>CONSOLIDATED COUNTY FUND</u>	
3. Other Services and Charges	175,000
4. Capital Outlay	<u>50,000</u>
TOTAL INCREASE	225,000

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

<u>FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Federal Grants Fund	<u>5,187,209</u>
TOTAL REDUCTION	5,187,209

<u>CONSOLIDATED COUNTY FUND</u>	
Unappropriated and Unencumbered	
Consolidated County Fund	<u>225,000</u>
TOTAL REDUCTION	225,000

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. 269, 1999. The proposal 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. Councillor Shambaugh moved, seconded by Councillor Bradford, to

postpone Proposal No. 269, 1999 until June 7, 1999. Proposal No. 269, 1999 was postponed by a unanimous voice vote.

Councillor Dowden reported that Public Safety and Criminal Justice Committee heard Proposal Nos. 273-276, 1999 on May 5, 1999.

PROPOSAL NO. 273, 1999. The proposal 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. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 273, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 273, 1999 was retitled FISCAL ORDINANCE NO. 47, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Twenty-four Thousand Two Hundred Fifty Dollars (\$24,250) in the State and Federal Grants Fund for purposes of the Auditor and the County Sheriff and reducing the unappropriated and unencumbered balance in the County Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,y) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Auditor and the County Sheriff to provide for a uniformed deputy with arrest powers for the security of runaways and agency employees and to purchase a public safety radio.

SECTION 2. The sum of Twenty-four Thousand Two Hundred Fifty Dollars (\$24,250) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services-Fringes	4,350
 <u>COUNTY SHERIFF</u>	
1. Personal Services	17,400
4. Capital Outlay	<u>2,500</u>
TOTAL INCREASE	24,250

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>24,250</u>
TOTAL REDUCTION	24,250

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

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

Councillor Dowden asked for consent to vote on Proposal Nos. 274-276, 1999 together. Consent was given.

PROPOSAL NO. 274, 1999. The proposal 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. PROPOSAL NO. 275, 1999. The proposal 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. PROPOSAL NO. 276, 1999. The proposal 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. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:24 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 274-276, 1999 were adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Franklin, Schneider, Talley, Williams*

1 ABSENT: *Jones*

Proposal No. 274, 1999 was retitled FISCAL ORDINANCE NO. 48, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional One Hundred Sixty-seven Thousand Eight Hundred Thirty-three Dollars (\$167,833) in the Alcohol and Drug Services Fund for the purposes of the County Auditor and the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Alcohol and Drug Services Fund.

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

May 17, 1999

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b, cc) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Marion County Superior Court to be compliant with the 3% increase for probation officers hired in 1998.

SECTION 2. The sum of One Hundred Sixty-seven Thousand Dollars Eight Hundred Thirty-three Dollars (\$167,833) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>ALCOHOL AND DRUG SERVICES FUND</u>
1. Personal Services - Fringes	33,567
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Service	134,266
TOTAL INCREASE	167,833

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

	<u>ALCOHOL AND DRUG SERVICES FUND</u>
Unappropriated and Unencumbered	
Alcohol and Drug Services Fund	167,833
TOTAL REDUCTION	167,833

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

Proposal No. 275, 1999 was retitled FISCAL ORDINANCE NO. 49, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Hundred Seventy-two Thousand Eight Hundred Forty-eight Dollars (\$272,848) in the Supplemental Adult Probation Fees Fund for the purposes of the County Auditor and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b, cc) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes the County Auditor and Marion County Superior Court to be compliant with the 3% increase for personnel hired in 1998.

SECTION 2. The sum of Two Hundred Seventy-two Thousand Eight Hundred Forty-eight Dollars (\$272,848) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
1. Personal Services - Fringes	54,570
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Service	218,278
TOTAL INCREASE	272,848

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

	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
Unappropriated and Unencumbered	
Supplemental Adult Probation Fees Fund	<u>272,848</u>
TOTAL REDUCTION	<u>272,848</u>

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

Proposal No. 276, 1999 was retitled FISCAL ORDINANCE NO. 50, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Forty-eight Thousand Dollars (\$48,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(cc) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to fund Child Advocates.

SECTION 2. The sum of Forty-eight Thousand Dollars (\$48,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>48,000</u>
TOTAL INCREASE	<u>48,000</u>

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>48,000</u>
TOTAL REDUCTION	<u>48,000</u>

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

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

PROPOSAL NO. 277, 1999. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 277, 1999 on April 29, 1999. The proposal 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:26 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 277, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 277, 1999 was retitled FISCAL ORDINANCE NO. 51, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) transferring and appropriating an additional One Million Three Hundred Thousand Dollars (\$1,300,000) in the Maintenance Operations Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing the unappropriated and unencumbered balance in the Maintenance Operations 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(k) 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 Works, Maintenance Operations Division, 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.

SECTION 2. The sum of One Million Three Hundred Thousand Dollars (\$1,300,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing certain other appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS FUND</u>
1. Personal Services	150,000
2. Supplies and Materials	477,000
3. Other Services and Charges	<u>673,000</u>
TOTAL INCREASE	1,300,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS FUND</u>
4. Capital Outlay	<u>100,000</u>
TOTAL REDUCTION	100,000

	<u>MAINTENANCE OPERATIONS FUND</u>
Unappropriated and Unencumbered	
Maintenance Operations Fund	<u>1,200,000</u>
TOTAL REDUCTION	1,200,000

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

PROPOSAL NO. 280, 1999. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 280, 1999 on May 12, 1999. The proposal 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. By a 7-0 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. 280, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 280, 1999 was retitled FISCAL ORDINANCE NO. 52, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Federal Grants Fund for purposes of the Department of Capital Asset Management, Finance and Administration Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(I) 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 Capital Asset Management, Finance and Administration Division, to match a Federal Highway Administration Congestion Mitigation and Air Quality (CMAQ) grant for a public transit awareness and education program.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>FINANCE AND ADMINISTRATION DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>200,000</u>
TOTAL INCREASE	200,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

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.

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

PROPOSAL NO. 291, 1999. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 291, 1999 on April 29, 1999. The proposal 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 291, 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, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*

0 NAYS:

4 NOT VOTING: *Black, Franklin, Schneider, Talley*

1 ABSENT: *Jones*

Proposal No. 291, 1999 was retitled FISCAL ORDINANCE NO. 53, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) appropriating an additional One Million Dollars (\$1,000,000) in the Flood General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Flood General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(l) 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 Capital Asset Management, Asset Management Division, to include neighborhood drainage improvements, flood control projects and other related work.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>FLOOD GENERAL FUND</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

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

	<u>FLOOD GENERAL FUND</u>
Unappropriated and Unencumbered	
Flood General Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 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 was postponed in Council on April 26, 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 Moores stated that she would like to move the following amendment to be substituted for the amendment she moved at the last Council meeting:

Mr. President:

I move to amend Proposal No. 166, 1999, Sec. 671-803(a) by adding the text that is italicized to read as follows:

Sec. 671-803. ~~Procedures; for construction~~ Council approval as pro rata project.

(a) Upon request of the department, made prior to the commencement of any actual work on the project, the City-County Council by resolution, shall approve or disapprove a department sewer construction project as a pro rata sewer project for which connection fees may be charged as set forth in this Article. ~~Shall have the authority to determine whether constructing a sewer as a pro rata sewer is public utility and benefit and is consistent with the policy set forth in section 671-170.~~ However, recognizing that the Franklin Township sanitary sewer and lift station projects are currently under construction, approval of the City-County Council by resolution may be requested for those projects after commencement of actual work. Design, construction and property acquisition of the pro rata sewer shall comply with all applicable laws and regulations.

Councillor Coughenour seconded the motion to amend, and Proposal No. 166, 1999 was amended by a unanimous voice vote.

Councillor Coughenour moved, seconded by Councillor Moores, for adoption. Proposal No. 166, 1999, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Franklin, Schneider, Short, Talley

1 ABSENT: Jones

Proposal No. 166, 1999, as amended, was retitled GENERAL ORDINANCE NO. 58, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1999

A GENERAL ORDINANCE amending Chapter 671 of the "Revised Code of the Consolidated City and County" by adding a new Article VIII to provide for pro rata cost allocation as authorized by Indiana Code 36-9-23-29 for sanitary sewers construction by the City.

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

SECTION 1. Chapter 671 of the "Revised Code of the Consolidated City and County" is hereby amended by adding a new Article VIII, to read as follows:

**ARTICLE VIII
CITY SEWER CONSTRUCTION; PRO RATA COST SHARING**

Sec. 671-801. Purpose and policy.

Consistent with the objectives of this chapter, including protecting public health and providing for a sound sanitary sewer infrastructure system, the department is authorized to construct sanitary sewers which are suitable for use by a local area abutting or adjoining the sewers, and the department is authorized to charge property owners in the local area abutting or adjoining the sewers a fee for connecting to such sewers. Pursuant to IC 36-9-23-29, the connection fee shall be a pro rata portion of the department's cost of constructing the sewer.

Sec. 671-802. Definitions.

(a) Pro rata sewer shall mean a sanitary sewer constructed by the department in accordance with IC 36-9-23-29 and this article.

(b) Cost of construction shall mean all reasonable costs associated with construction, including materials, labor, design, inspection, property acquisition and finance costs.

(c) Construction shall mean the original building of the sanitary sewer and shall also mean:

(1) construction work directly related to the original sanitary sewer which increases the capacity of the original sanitary sewer; or

(2) alteration of the original sanitary sewer which increases the capacity of the sanitary sewer.

(d) Department shall mean either the Department of Public Works or the Department of Capital Asset Management, as applicable.

(e) All other terms as defined in section 671-2 of this chapter apply in this article.

Sec. 671-803. Procedures; Council approval as pro rata project.

(a) Upon request of the department, made prior to the commencement of any actual work on the proposed project, the City-County Council by resolution, shall approve or disapprove a department sewer construction project as a pro rata sewer project for which connection fees may be charged as set forth in this Article. However, recognizing that the Franklin Township sanitary sewer and lift station projects are currently under construction, approval of the City-County Council by resolution may be requested for those projects after commencement of actual work. Design, construction and property acquisition of the pro rata sewer shall comply with all applicable laws and regulations.

(b) Upon City-County Council approval of a sewer construction project as a pro rata sewer project, the department shall record with the Marion County Recorder a document and area map designating a fixed geographical area capable of being served by the pro rata sewer. This area shall be known as the designated recoupment area. The recorded document shall also set forth the obligation to pay a connection fee under this article and shall state how the connection fee is to be calculated for that pro rata sewer in sufficient detail so that a property owner can calculate with reasonable certainty the connection fee applicable to his property.

(c) The obligation to pay the connection fee does not apply to any property owner of abutting or adjoining property unless the document is recorded before the owner taps into or connects to the pro rata sewer.

(d) Any city-owned property capable of being served by the pro rata sewer shall be included in the designated recoupment area.

(e) When all areas in the designated recoupment area have paid to the department their pro rata share of construction of the sewer and/or when the department has received connection fees equal to its cost of constructing the pro rata sewer, the department shall record a release of the document.

(f) The department shall have the authority to approve requests for connection to the pro rata sewer and shall determine the amount of the connection fee as set forth in section 671-173.

Sec. 671-804. Connection fee.

(a) No person shall cause or allow the connection of a building sewer or a local sanitary sewer to the pro rata sewer without first having paid to the department the connection fee established by this article.

(b) The connection fee shall be equal to the abutting or adjoining property's pro rata share of the cost of construction of the pro rata sewer, as determined in subsection (c).

(c) The pro rata share of the cost of construction shall be calculated based on either:

(1) The amount of the total peak design capacity, in million gallons per day, of the pro rata sewer allocated to the individual property's use at the time of connection; or

(2) The individual property area, measured in acres or square feet, compared to the total acreage or square feet in the designated recoupment area.

(d) If not paid prior to connection, the connection fee shall be a lien on the property for which the connection is made.

Sec. 671-805. Use of connection fees.

(a) The proceeds of connection fees collected by the department under this article shall be a part of the Sanitation General fund and may be used as:

(1) payment toward the cost of construction of the pro rata sewer; or

(2) payment toward the cost of improving the pro rata sewer in the future.

SECTION 2. The express 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 shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Councillor Coughenour thanked Mark Jacobs, Department of Public Works, for all his hard work and wished him well as he leaves the City's employ.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 223, 1999. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 223, 1999 on April 12, 1999, and again on May 10, 1999. The proposal approves a transfer of \$6,800 in the 1999 Budgets of the County Surveyor and County Auditor (County General Fund) to pay for overtime work on behalf of IMAGIS. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 223, 1999 was adopted on the following roll call vote; viz:

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22 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, Tilford, Williams*

0 NAYS:

6 NOT VOTING: *Black, Dowden, Franklin, Schneider, Short, Talley*

1 ABSENT: *Jones*

Proposal No. 223, 1999 was retitled FISCAL ORDINANCE NO. 54, 1999, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 1999

A FISCAL ORDINANCE amending the City-County Annual Budget for 1999 (City-County Fiscal Ordinance No. 124, 1998) transferring and appropriating an additional Six Thousand Eight Hundred Dollars (\$6,800) in the County General Fund for purposes of the County Surveyor and County Auditor and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section (b,j) of the City-County Annual Budget for 1999 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay overtime work on behalf of IMAGIS.

SECTION 2. The sum of Six Thousand Eight Hundred Dollars (\$6,800) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services- Fringes	996
<u>COUNTY SURVEYOR</u>	
1. Personal Services	5,804
TOTAL INCREASE	6,800

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

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	6,800
TOTAL DECREASE	6,800

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

PROPOSAL NO. 270, 1999. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 270, 1999 on May 5, 1999. The proposal determines the need to lease certain office space for the use of the County Prosecutor. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 270, 1999 was adopted on the following roll call vote; viz:

24 YEAS: *Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford, Williams*

0 NAYS:

4 NOT VOTING: *Franklin, Hinkle, Short, Talley*

1 ABSENT: *Jones*

Proposal No. 270, 1999 was retitled SPECIAL RESOLUTION NO. 37, 1999, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1999

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 10,769 square feet of office space at 22 East Washington Street, Indianapolis, Indiana for the Office of Prosecuting Attorney for Marion County, Indiana.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Office of Prosecuting Attorney for Marion County, Indiana, is necessary.

SECTION 2. The property to be leased is located at 22 East Washington Street, Indianapolis, Indiana, and is owned by Lombard Associates Limited Partnership, no partner of which has a ten percent (10%) or greater interest therein.

SECTION 3. 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. 281-290, 1999 on May 12, 1999.

PROPOSAL NO. 281, 1999. The proposal, sponsored by Councillor Gilmer, 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. By a 7-0 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. 281, 1999 was adopted on the following roll call vote; viz:

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

Proposal No. 281, 1999 was retitled GENERAL RESOLUTION NO. 5, 1999, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 1999

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

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

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

WHEREAS, the City of Indianapolis wishes to amend an interlocal agreement with the Town of Meridian Hills relating to jurisdiction of streets and bridges in and bordering Meridian Hills and other related matters; and

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WHEREAS, the City-County Council, having considered the amendment to the Interlocal Agreement and being duly advised, approves that the City of Indianapolis enters into the amended Interlocal Agreement; now, therefore:

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

SECTION 1. The City-County Council hereby approves that the amended Interlocal Agreement between the City of Indianapolis and the Town of Meridian Hills relating to jurisdiction of streets and bridges in and bordering Meridian Hills and other related matters, as set forth in Amendment 1, a copy of which is attached to the official copy of this resolution.

SECTION 2. This resolution 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. 282-288, 1999 together. Consent was given.

PROPOSAL NO. 282, 1999. The proposal, sponsored by Councillor Gray, authorizes intersection controls for Candlewick Drive and Surrey Road (District 9). PROPOSAL NO. 283, 1999. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at McCarty Street and Waldemere Avenue (District 18). PROPOSAL NO. 284, 1999. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 12th Street and King Avenue (District 16). PROPOSAL NO. 285, 1999. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Bergeson Way and Greenridge Drive (District 1). PROPOSAL NO. 286, 1999. The proposal, sponsored by Councillor Moriarty Adams, authorizes multi-way stops at Colorado Avenue at 12th and 13th Streets (Districts 10, 15). PROPOSAL NO. 287, 1999. The proposal, sponsored by Councillor Dowden, authorizes an intersection control at Bash Street and Clara Street (District 4). PROPOSAL NO. 288, 1999. The proposal, sponsored by Councillor Dowden, authorizes intersection controls at 64th Street, Rucker Road, and State Road 37 (District 4). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 282-288, 1999 were adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Franklin, Smith, Talley

1 ABSENT: Jones

Proposal No. 282, 1999 was retitled GENERAL ORDINANCE NO. 59, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 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>
10	Candlewick Dr Surrey Road	Candlewick Dr	Stop

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

Proposal No. 283, 1999 was retitled GENERAL ORDINANCE NO. 60, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 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>
30	McCarty St Waldemere Av	Waldemere Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	McCarty St Waldemere Av	None	All Way Stop

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

Proposal No. 284, 1999 was retitled GENERAL ORDINANCE NO. 61, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 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>
24	King Av 12 th St	King Av	Stop

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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>
24	King Av 12 th 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. 285, 1999 was retitled **GENERAL ORDINANCE NO. 62, 1999**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 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>
02	Bergeson Way Greenridge Dr	Greenridge Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
02	Bergeson Way Greenridge 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. 286, 1999 was retitled **GENERAL ORDINANCE NO. 63, 1999**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 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>
26	Colorado Av 12 th St	Colorado Av	Stop
26	Colorado Av 13 th St	Colorado Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Colorado Av 12 th St	None	All Way Stop
26	Colorado Av 13 th 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. 287, 1999 was retitled GENERAL ORDINANCE NO. 64, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 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>
6	Bash St Clara 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>
6	Bash St Clara St	Bash St (SB)	Stop

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

Proposal No. 288, 1999 was retitled GENERAL ORDINANCE NO. 65, 1999, and reads as follows:

May 17, 1999

CITY-COUNTY GENERAL ORDINANCE NO. 65, 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>
12	Rucker Rd, S.R. 37, 64 th St	S.R. 37	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>
12	Rucker Rd 64 th St	Rucker Rd (NB)	Stop
12	Rucker Rd, S.R. 37	S.R. 37	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. 289 and 290, 1999 together. Consent was given.

PROPOSAL NO. 289, 1999. The proposal, sponsored by Councillor Bradford, authorizes 55 degree parking on Carrollton Street, on the west side, from Broad Ripple Avenue to 62nd Street (District 7). PROPOSAL NO. 290, 1999. The proposal, sponsored by Councillor Bradford, authorizes 55 degree parking on Riviera Drive East, on both sides, from Winthrop Avenue to Dead End (District 7). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Bradford, for adoption. Proposal Nos. 289 and 290, 1999 were adopted on the following roll call vote; viz:

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

Proposal No. 289, 1999 was retitled GENERAL ORDINANCE NO. 66, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-108, Manner of parking.

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. 621-108, Manner of parking, be and the same is hereby amended by the addition of the following, to wit:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

Carrollton Street, on the west side, from Broad Ripple Avenue to Sixty-second Street

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

Proposal No. 290, 1999 was retitled GENERAL ORDINANCE NO. 67, 1999, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1999

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-108, Manner of parking.

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. 621-108, Manner of parking, be and the same is hereby amended by the addition of the following, to wit:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

Riviera Drive East, on both sides, from Winthrop Avenue to Dead End

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

NEW BUSINESS

Councillor Short wished Councillor Williams a happy birthday today and his mother a happy birthday tomorrow.

Councillor Hinkle announced that the Metropolitan Development Committee meeting scheduled for Monday, May 24, 1999, has been canceled.

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 Moores in memory of Ralph Wohlmuth; and
- (2) Councillor Moriarty Adams in memory of Thomas Pierce.

May 17, 1999

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 Ralph Wohlmuth and Thomas Pierce. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:50 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 17th day of May, 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)