

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

**REGULAR MEETINGS
MONDAY, JUNE 19, 2000**

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 7:14 p.m. on Monday, June 19, 2000, with President SerVaas presiding.

Councillor Coonrod introduced Reverend Terry Hursh, Holy Cross Lutheran Church, who led the opening prayer. Councillor Coonrod then invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

29 PRESENT: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford

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

OFFICIAL COMMUNICATIONS

Councillor Cockrum stated that this is the 28th year of the Scarborough Peace Games. The games will be held July 21-23, 2000, with a pep rally prior to the games on July 17, 2000, at 6:30 p.m. at the McAllister Center at Garfield Park. Opening ceremonies will be held on Friday, July 21, 2000, at the Anthem building Downtown. The total budget for the games is \$100,000. Donations have been received to date totalling \$12,300, and sponsorship receipts are currently at \$27,800. There have also been numerous in-kind contributions. He asked Councillors to provide him with t-shirt sizes, and stated that individuals can call 327-7056 for more information or to volunteer.

President SerVaas called for the reading of Official Communications. The Clerk read the following:

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 19, 2000, 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

May 23, 2000

TO PRESIDENT SERVAAS 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* on Friday, May 26, 2000, a copy of a Notice of Public Hearing on Proposal Nos. 325, 359, 362-365, and 384, 2000, said hearing to be held on Monday, June 19, 2000, at 7:00 p.m. in the City-County Building.

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

June 2, 2000

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

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 38, 2000 - approves an increase of \$84,000 in the 2000 Budget of the Cable Communications Agency (Consolidated County Fund) to replace outdated video cameras and other related equipment for Channel 16, financed by a cable franchise Public, Educational or Governmental Access Facilities (P.E.G.) grant

FISCAL ORDINANCE NO. 39, 2000 - approves an increase of \$600,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General and State Grants Funds) to enhance the 16th Street/Crawfordsville Road Corridor, financed by a state grant (\$100,000) and a contribution from the Town of Speedway (\$500,000)

FISCAL ORDINANCE NO. 40, 2000 - approves an increase of \$3,599,519 in the 2000 Budget of the Department of Capital Asset Management (State Grants and Transportation General Funds) to continue the reconstruction of streets, landscaping, and storm sewer improvements near the Eli Lilly headquarters complex, funded by contributions from Eli Lilly Corporation and an Indiana Department of Commerce grant

FISCAL ORDINANCE NO. 41, 2000 - approves an increase of \$100,000 in the 2000 Budget of the Department of Capital Asset Management (Transportation General Fund) to study five major intersections in Marion County for potential operational and safety improvements, financed by a grant from State Farm Insurance Companies

FISCAL ORDINANCE NO. 42, 2000 - approves a re-appropriation of \$352,350 in the 2000 Budget of the Department of Capital Asset Management (State Grants Fund) to match federal funds for the widening of Harding Street from Raymond Street to Hanna Avenue, financed with funds remaining on a 1998 Build Indiana grant

FISCAL ORDINANCE NO. 43, 2000 - approves an increase of \$125,000 in the 2000 Budget of the Department of Parks and Recreation (Park General Fund) to acquire a Conservation and Recreation Easement for the purpose of establishing Town Run Trail Park in northeast Marion County, financed by fund balances

FISCAL ORDINANCE NO. 47, 2000 - approves an increase of \$492,116 in the 2000 Budgets of the County Auditor, Prosecuting Attorney, Marion County Public Defender Agency, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to continue the expedited court project for an additional year, funded by a U.S. Department of Justice, Office of Justice Program Grant

FISCAL ORDINANCE NO. 48, 2000 - approves an increase of \$161,140 in the 2000 Budget of the County Auditor and the Marion County Public Defender Agency (State and Federal Grants Fund) to continue the Sentencing Alternative Program, funded by a grant from the Indiana Criminal Justice Agency

GENERAL ORDINANCE NO. 69, 2000 - concerns the Urban Enterprise Association

SPECIAL ORDINANCE NO. 5, 2000 - authorizes the Department of Public Utilities (dba Citizens Gas and Coke Utility) to acquire certain steam and chilled water assets of Indianapolis Power & Light Company, Indianapolis Campus Energy, Inc., and Mid-America Energy Resources, Inc. and consents to the assignment of the chilled water franchise

GENERAL RESOLUTION NO. 3, 2000 - approves a conservation and recreation easement, in perpetuity, between the Department of Parks and Recreation and Oliver B. Daugherty, owner

SPECIAL RESOLUTION NO. 41, 2000 - recognizes Dr. Robert Burgbacher, Executive Director of the Mary Rigg Neighborhood Center

SPECIAL RESOLUTION NO. 42, 2000 - recognizes the First Annual "Taste of African Foods" fund raiser for the African Community International Center

SPECIAL RESOLUTION NO. 43, 2000 - recognizes the Department of Metropolitan Development service of Dennis Pappenmeier

SPECIAL RESOLUTION NO. 44, 2000 - thanks William Powers for his service on the Citizens Police Complaint Board

SPECIAL RESOLUTION NO. 45, 2000 - thanks Wayne Volda for his service on the Citizens Police Complaint Board

SPECIAL RESOLUTION NO. 46, 2000 - thanks Leah Orr for her service on the Citizens Police Complaint Board

SPECIAL RESOLUTION NO. 47, 2000 - thanks Vincent Burke for his service on the Citizens Police Complaint Board

SPECIAL RESOLUTION NO. 48, 2000 - an inducement resolution for Pheasant Run Limited Partnership in an amount not to exceed \$13,000,000 to be used for the construction of a 184-unit multi-family apartment complex located at 1000 South Franklin Road in southeastern Marion County (District 13)

SPECIAL RESOLUTION NO. 49, 2000 - an inducement resolution for Capital Investment Group, Inc. in an amount not to exceed \$8,000,000 to be used for the acquisition and expansion of 208 one-bedroom, two-bedroom and three-bedroom units in two-story buildings located at 2220 E. Stop 13 Road (District 24)

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of May 22, 2000. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 429, 2000. The proposal, sponsored by Councillor Hinkle, recognizes the public service of Eugene E. Jones, Jr., Executive Director, Indianapolis Housing Agency. Councillor Hinkle read the proposal and presented Mr. Jones with a copy of the document and a Council pin. He stated that Mr. Jones has truly brought about a change in public housing and the attitudes toward public housing, and has helped many residents become self-sufficient. Mr. Jones thanked the Council for the recognition and for their support and stated that more credit goes to his staff and the residents. President SerVaas stated that Mr. Jones has taken a troubled housing program and turned it into a resounding success. He thanked Mr. Jones and said that the City will miss his great leadership. Councillor Hinkle moved, seconded by Councillor Short, for adoption. Proposal No. 429, 2000 was adopted by a unanimous voice vote.

Proposal No. 429, 2000 was retitled SPECIAL RESOLUTION NO. 50, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 2000

A SPECIAL RESOLUTION recognizing the public service of Eugene E. Jones, Jr., Executive Director, Indianapolis Housing Agency.

WHEREAS, Eugene E. Jones, Jr., has spent the past 20 years of his life with the federal Housing and Urban Development Agency and with local public housing authorities; and

WHEREAS, Mr. Jones earned his bachelor's degree at the University of Albuquerque and his MBA degree at New Mexico Highlands University after which he joined the U.S. Air Force where he worked with budgets, accounting and job cost analysis; and

WHEREAS, after a year with an Albuquerque bank, he spent the following years in community development and in low income housing; and

WHEREAS, Mr. Jones was called to lead the Indianapolis Housing Agency in 1997, where he and his staff successfully directed the agency with its 2,800 public units and 5,000 Section 8 subsidized houses off the federal government's list of troubled local housing agencies; and

WHEREAS, in only three years, Mr. Jones and his staff caused Indianapolis' ratings by HUD to increase a remarkable 28 points, they improved maintenance, cut response time for repairs, reduced vacancies by faster renovations, beefed up security, gave residents more voice in their shelter concerns, and created a more positive feeling and better attitude toward public housing; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the outstanding work during the past three years of Eugene E. Jones, Jr., Executive Director of the Indianapolis Housing Agency.

SECTION 2. The Council thanks Mr. Jones, and wishes him well as he shifts his talents and experience to the private sector.

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. 430, 2000. The proposal, sponsored by Councillor Hinkle, recognizes The People's Burn Foundation of Indiana's Brave Hearts' Camp for burned children. Councillor Hinkle invited Councillors Langsford and Gray to join him in support of the proposal. He read the proposal and presented representatives with copies of the document and Council pins.

Councillors Gray and Langsford thanked the foundation for their efforts and stated that several firefighters participate in the program, and it is a rewarding experience. Larry Specter, Libby's Delicatessan; Chief Louis Dezelan, Indianapolis Fire Department; and Tom Hanify, Local 416 Firefighter's Union, expressed their thanks to the foundation and explained what a great success the Brave Hearts' Camp event is for burn victims. Shawn Tabor, People's Burn Foundation, thanked the Council for the recognition and invited members to attend Brave Hearts' Day at the City Market on June 28, 2000. Councillor Hinkle moved, seconded by Councillor Gray, for adoption. Proposal No. 430, 2000 was adopted by a unanimous voice vote.

Proposal No. 430, 2000 was retitled SPECIAL RESOLUTION NO. 51, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 2000

A SPECIAL RESOLUTION recognizing The People's Burn Foundation of Indiana's Brave Hearts' Camp for burned children.

WHEREAS, after a burn victim has received care and treatment, lengthy physical and emotional rehabilitation can very often present its own set of difficulties; and

WHEREAS, three years ago the People's Burn Foundation of Indiana created an annual summer Brave Hearts' Camp program at the Happy Hollow Children's Camp in Brown County for children of age five to 18 who have suffered through the physical and mental anguish of burns; and

WHEREAS, the children are able to spend time with peers in soccer, swimming, canoeing, horseback riding, nature projects, and self-esteem building activities; and

WHEREAS, the Brave Hearts' Camp of 35 mostly Indiana children will this summer include a child from Mexico and two young burn victims from the Gaza Strip in the Middle East; 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 all of those who are associated with the People's Burn Foundation of Indiana and their Brave Hearts' Camp in Brown County.

SECTION 2. The Council specifically commends the Indianapolis Fire Department and Firefighters Local #416, Reggie Bowl (Reggie Miller's foundation,) Libby's Delicatessen and many others who help support the kids in this important aftercare recovery program.

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

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

President SerVaas stated that Proposal Nos. 231, 232, 273, and 374, 2000 are all board appointments that passed out of their respective Committees with unanimous recommendations for adoption. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 231, 2000. The proposal, sponsored by Councillor Borst, amends Council Resolution No. 37, 2000, to correct the term of the appointment of Philip C. Borst to the Capital Improvements Board of Managers. PROPOSAL NO. 232, 2000. The proposal, sponsored by Councillors Boyd and Tilford, appoints Tommie Jones to the Indianapolis Public Transportation Corporation Board. PROPOSAL NO. 273, 2000. The proposal, sponsored by Councillors Boyd and Short, appoints Sabrina Phillips to the Citizens Police Complaint Board. PROPOSAL NO. 374, 2000. The proposal, sponsored by Councillor Tilford, appoints Cindy Urban to the Indianapolis Public Transportation Corporation Board. Councillor Borst moved, seconded by

Councillor Boyd, for adoption. Proposal Nos. 231, 273, and 374, 2000 and Proposal No. 232, 2000, as amended, were adopted by a unanimous voice vote.

Proposal No. 231, 2000 was retitled COUNCIL RESOLUTION NO. 60, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2000

A PROPOSAL FOR A COUNCIL RESOLUTION amending City-County Council Resolution 37, 2000, to correct the term of the appointment of Philip C. Borst to the Capital Improvements Board of Managers.

WHEREAS, by City-County Council Resolution No. 37, 2000, appointed Philip C. Borst to the Capital Improvement Board of Managers for a term ending January 14, 2001; and

WHEREAS, by statute the appointment should have been for a two-year term, now, therefore:

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

SECTION 1. Section 2 of City-County Council Resolution No. 37, 2000, be amended by deleting the date "January 14, 2001" and substituting therefor the date "January 14, 2002."

Proposal No. 232, 2000, as amended, was retitled COUNCIL RESOLUTION NO. 61, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2000

A COUNCIL RESOLUTION appoints Tommie Jones to the Indianapolis Public Transportation Corporation Board.

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

SECTION 1. As a member of the Public Transportation Corporation Board, the Council appoints:

Tommie Jones

SECTION 2. The appointment made by this resolution is for a term ending April 9, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 273, 2000 was retitled COUNCIL RESOLUTION NO. 62, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2000

A COUNCIL RESOLUTION appointing Sabrina Phillips to the Citizens Police Complaint Board.

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

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

Sabrina Phillips

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

Proposal No. 374, 2000 was retitled COUNCIL RESOLUTION NO. 63, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2000

A COUNCIL RESOLUTION appointing Cindy Urban to the Indianapolis Public Transportation Corporation Board.

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

SECTION 1. As a member of the Indianapolis Public Transportation Corporation Board, the Council appoints:

Cindy Urban

SECTION 2. The appointment made by this resolution is for a term ending August 6, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 394, 2000. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which is an inducement resolution for Washington Pointe Apartments in an amount not to exceed \$7,500,000 for the acquisition of an undeveloped 10.589 tract of land and the construction of a 144-unit multifamily housing residential rental project located at 601 Washington Pointe Drive (District 13)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 396, 2000. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$550,000 in the 2000 Budget of the Marion County Children's Guardian Home (County General Fund) to continue with the Vision 2000 renovations at the Guardian Home, financed by Build Indiana funds"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 397, 2000. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Zoning Ordinance concerning interstate rights-of-way (2000-AO-02) (Certified June 13, 2000)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 398, 2000. Introduced by Councillors Hinkle and Horseman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,938,270 in the 2000 Budget of the Department of Metropolitan Development (State Grants, Federal Grants and City Cumulative Capital Development Funds) for administering state and federal grants which provide affordable and supportive housing opportunities, brownfield assessment and remediation, ozone awareness programs and economic development, financed with state and federal grants and a transfer between characters"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 399, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$27,793 in the 2000 Budget of the County Sheriff (State and Federal Grants Fund) which is a reimbursement for three officers assigned to the Indianapolis Metropolitan Gang Safe Street Task Force, financed by a grant from the Federal Bureau of Investigation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 400, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,000 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to amend the Center of Hope Grant by increasing the federal award for contractual services (Crime Victims Assistance Grant)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 401, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$250,000 in the 2000 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to continue the second year funding of the comprehensive seat belt program in Marion County, funded by a grant from the National Highway Traffic Safety Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 402, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$54,330 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund the program to increase seat belt enforcement, financed by a grant from the Governor's Council of Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 403, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$169,520 in the 2000 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to fund a comprehensive traffic safety program focusing on impaired driving and seat belt usage, funded by a grant from the Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 404, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$337,865 in the 2000 Budgets of the County Auditor, Prosecuting Attorney, Marion County Superior Court, and Marion County Public Defender Agency (County General Fund) to increase the Initial Hearing Court staff to alleviate caseload backlogs and jail overcrowding as ordered by the Indiana Supreme Court, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 405, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$330,576 in the 2000 Budgets of the County Auditor, Prosecuting Attorney, Marion County Superior Court, and Marion County Public Defender Agency (County General Fund) to fund the transfer of cases from D Felony Courts to the other Major Felony Courts to assist in diminishing the caseload disparity among the courts as ordered by the Indiana Supreme Court, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 406, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$130,000 in the 2000 Budget of the Marion County Superior Court (Supplemental Adult Probation Fee Fund) to pay upfront rent charges for the Community Court, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 407, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$347,000 in the 2000

Budgets of the County Auditor and Marion County Superior Court (Supplemental Adult Probation Fee Fund) to transfer drug testing responsibilities currently assigned to the Forensic Services Agency to a new drug testing facility for use by Probation, Pre-trial Release, and the Drug Treatment Court, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 408, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$100,842 in the 2000 Budgets of the County Auditor and the Marion County Superior Court (State and Federal Grants Fund) to cover the salaries of two social workers and the operating costs for the Title IV-D Access and Visitation Program for non-custodial parents, funded by a grant from the Indiana Family and Social Services Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 409, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$27,473 in the 2000 Budgets of the County Auditor and the Marion County Superior Court (Supplemental Adult Probation Fee Fund) to increase Personal Services by 2.5% in order to correct an oversight in the 2000 budget preparation, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 410, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$202,093 in the 2000 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund a Juvenile Court Intensive Probation Services Program for fiscal year 2000-2001, funded by a grant from the Indiana Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 411, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,612,079 in the 2000 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to cover the operational expenses for fiscal year 2000-2001, funded by a grant from the Indiana Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 412, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$461,849 in the 2000 Budgets of the County Auditor and Community Corrections (Home Detention User Fee Fund) to fund personnel positions, home detention equipment and office supplies for the first half of fiscal year 2000-2001, financed by the fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 413, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$30,400 in the 2000 Budgets of the County Auditor and Community Corrections (Pre-Trial Release Fund) to provide for a home detention officer to supervise the Pre-Trial Home Detention Program, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 414, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns the Law Enforcement Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 415, 2000. 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 reduction of \$46,000 in the 2000 Budget of the Department of Public Works, Environmental Resources Management Division (Solid Waste Collection Service District Fund) to correct an error in the original budget for 2000"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 416, 2000. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$6,313,240 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to undertake various transportation improvement projects, road resurfacing and curb and sidewalk repairs throughout Marion County, financed from fund balances"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 417, 2000. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,400,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Sanitation Liquid Waste Fund) to make necessary repairs and improvements at the Belmont advanced wastewater treatment facility, financed by a reduction of fund balances"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 418, 2000. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Pine Crest Subdivision (District 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 419, 2000. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Spencer Avenue and 19th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 420, 2000. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Leland Avenue and 19th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 421, 2000. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Ida Street and Warman Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 422, 2000. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Reinsner Street and Vermont Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 423, 2000. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at New York Street and Warman Avenue (Districts 16, 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 424, 2000. Introduced by Councillor Douglas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a yield sign at 23rd Street and Butler Avenue (District 10)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 425, 2000. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions surrounding the Indiana War Memorial Plaza on Michigan Street and North Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 426, 2000. Introduced by Councillors Coonrod and Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes procedures for council litigation"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 427, 2000. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Olga Villa Parra to the Board of Ethics"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 428, 2000. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dr. Robert S. Daly to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 391, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 391, 2000 on June 5, 2000. The proposal is an extension of an inducement resolution set for expiration on June 30, 2000, for Bedford Park Apartments in an amount not to exceed \$11,000,000 for the acquisition and renovation of the existing 312-unit apartment complex located at 4900 Edinborough Way (District 17). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams stated that she will abstain from voting on Proposal Nos. 391-393 and 395, 2000 to avoid the appearance of a conflict of interest.

Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 391, 2000 was adopted on the following roll call vote; viz:

25 YEAS: Bainbridge, Black, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Hinkle, Horseman, Knox, Langsford, Massie, Nytes, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford

0 NAYS:

4 NOT VOTING: Borst, Gray, Moriarty Adams, Sanders

Proposal No. 391 2000 was retitled SPECIAL RESOLUTION NO. 52, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 2000

A SPECIAL RESOLUTION amending City-County Special Resolution No. 103, 1999, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 103, 1999 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Affordable Housing Partners, Inc. (the "Company") which resolution set an expiration date of June 30, 2000 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of June 30, 2000, contained therein and replaced said date with the date of December 31, 2000.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 392, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 392, 2000 on June 5, 2000. The proposal is an extension of an inducement resolution set for expiration on June 30, 2000, for Cloverleaf/ Phase I Apartments in an amount not to exceed \$3,000,000 for the acquisition and renovation of the existing 136-unit apartment complex located at 835 Cloverleaf Terrace (District 18). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Langsford, for adoption. Proposal No. 392, 2000 was adopted on the following roll call vote; viz:

25 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Hinkle, Horseman, Knox, Langsford, Massie, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Talley, Tilford

0 NAYS:

4 NOT VOTING: Coonrod, Gray, Moriarty Adams, Soards

Proposal No. 392, 2000 was retitled **SPECIAL RESOLUTION NO. 53, 2000**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 2000

A **SPECIAL RESOLUTION** amending City-County Special Resolution No. 104, 1999, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

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

WHEREAS, City-County Special Resolution No. 104, 1999 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Cloverleaf Associates LP or Community Reinvestment Foundation, Inc. (the "Company") which resolution set an expiration date of June 30, 2000 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of June 30, 2000, contained therein and replaced said date with the date of December 31, 2000.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 393, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 393, 2000 on June 5, 2000. The proposal is an extension of an inducement resolution set for expiration on June 30, 2000, for Braeburn Village Apartments in an amount not to exceed \$24,000,000 for the acquisition and renovation of the existing 402-unit apartment complex located at 2170 Braeburn East Drive (District 12). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Schneider, for adoption. Proposal No. 393, 2000 was adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Douglas, Dowden, Gibson, Hinkle, Horseman, Knox, Langsford, Massie, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford*
0 NAYS:
4 NOT VOTING: *Coonrod, Coughenour, Gray, Moriarty Adams*

Proposal No. 393, 2000 was retitled SPECIAL RESOLUTION NO. 54, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 2000

A SPECIAL RESOLUTION amending City-County Special Resolution No. 102, 1999, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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

WHEREAS, City-County Special Resolution No. 102, 1999 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Southern Apartment Specialists, Inc. (the "Company") which resolution set an expiration date of June 30, 2000 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Resolution is hereby amended by deleting the expiration date of June 30, 2000, contained therein and replaced said date with the date of December 31, 2000.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 395, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 395, 2000 on June 5, 2000. The proposal is an inducement resolution for Retirement Living, Inc. (d/b/a Marquette Manor) in an amount not to exceed \$8,000,000 for the renovations to and the acquisition, construction and equipping of a 43-bed, 38,000 square foot addition to the existing retirement facilities located at 8140 Township Line Road (District 2). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 395, 2000 was adopted on the following roll call vote; viz:

27 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brens, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Tilford*

0 NAYS:

2 NOT VOTING: *Moriarty Adams, Talley*

Proposal No. 395, 2000 was retitled SPECIAL RESOLUTION NO. 55, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 2000

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 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, construction 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 a company; and

WHEREAS, Retirement Living, Inc. (d/b/a Marquette Manor), an Indiana nonprofit corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer loan the proceeds of an economic development financing to the Applicant for the same. The Applicant will use the proceeds of the financing to (i) proceed with renovations to and the acquisition, construction and equipping of a 43 bed, 38,000 square foot addition to the Applicant's

existing retirement facilities, located at 8140 Township Line Road, in the City of Indianapolis, Indiana; and (ii) pay certain costs relating to the issuance of the bonds (the "Project"); and

WHEREAS, the diversification of industry and creation of opportunities for gainful employment, plus the creation of a construction job and service provider payroll, and the creation of business opportunities to be achieved by the acquisition, construction 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; and

WHEREAS, it is tentatively found that the acquisition, construction and equipping of the Project will not have an adverse competitive effect on any similar facility 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, IN-DIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and creation 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 the Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities and 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 \$8,000,000 under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction and equipping of the Project and the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction 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 acquisition, construction 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 December 31, 2000, 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 or 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 date of adoption of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, a portion of the interest paid during acquisition and construction, underwriting expenses, attorney and bond counsel fees, and acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also certain indirect expenses incurred prior to this inducement resolution 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. 431, 2000, PROPOSAL NOS. 432-433, 2000, PROPOSAL NO. 434, 2000, PROPOSAL NOS. 435-440, 2000 and PROPOSAL NO. 441, 2000. Introduced by Councillor Hinkle. Proposal No. 431, 2000, Proposal No. 432-433, 2000, Proposal No. 434, 2000, Proposal Nos. 435-440, 2000 and Proposal No. 441, 2000 are proposals for Rezoning Ordinances certified

by the Metropolitan Development Commission on June 13 and 14, 2000. 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. 112-122, 2000, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 112, 2000.

98-Z-96

4303 SOUTH EAST STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

MICHAEL H. BEEMAN, requests a rezoning of 0.40 acre, being in the D-3 District, to the C-1 classification to provide for office use.

REZONING ORDINANCE NO. 113, 2000.

2000-ZON-010 (Amended)

8750 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

FRANKLIN TOWNSHIP COMMUNITY SCHOOL CORPORATION requests a rezoning of 69.494 acres, being in the D-A District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 114, 2000.

2000-ZON-011

4629 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

DENNIS E. AND DEBORAH S. COPENHAVER, by James B. Burroughs, request a rezoning of 1.48 acres, being in the D-A District, to the C-1 classification to provide for commercial development.

REZONING ORDINANCE NO. 115, 2000.

2000-ZON-006

3346 - 3350 LAFAYETTE ROAD (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 8

LAFAYETTE ASSOCIATES, II, by Michael J. Kias, requests a rezoning of 5.824 acres, being in the C-4 District, to the C-S classification to provide for C-4 commercial uses and self-storage uses.

REZONING ORDINANCE NO. 116, 2000.

2000-ZON-034

9340 CORPORATION DRIVE (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 3

MANN REALTY CO d/b/a D.B. MANN DEVELOPMENT COMPANY, by Stephen D. Mears, requests a rezoning of 43.99 acres, being in the C-3, C-S and I-3-S Districts, to the C-S classification to provide for commercial and industrial uses, including most C-4 uses, I-2-S uses and I-3-S uses.

REZONING ORDINANCE NO. 117, 2000.

2000-ZON-036

3818 EAST 30TH STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

LYNN WILSON requests a REZONING of 0.10 acre, being in the D-5 District, to the C-3 classification to provide for an existing tavern's parking lot.

REZONING ORDINANCE NO. 118, 2000.

2000-ZON-050

9550 ZIONSVILLE ROAD (approximate address), INDIANAPOLIS

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

HOLIDAY PARTNERS MIDWEST requests a rezoning of 17.639 acres, being in the I-4-S District, to the C-S classification to provide for most C-1 and I-2-U uses.

REZONING ORDINANCE NO. 119, 2000.
2000-ZON-053

7824 BROOKVILLE ROAD (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13
FIRST INDUSTRIAL, REALTY TRUST, INC., by Philip A. Nicely, requests a rezoning of 13.34 acres, being in the D-A and C-ID Districts, to the I-2-S classification to provide for industrial development.

REZONING ORDINANCE NO. 120, 2000.
2000-ZON-055 (2000-DP-011)

7259 NEW AUGUSTA ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2
SEXTON DEVELOPMENT, LLC, by James B. Burroughs, requests a rezoning of 15.97 acres, being in the D-SII district, to the D-P classification to provide for the development of 59 single-family residential lots (3.69 units per acre).

REZONING ORDINANCE NO. 121, 2000.
2000-ZON-817

55 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18
HOSPITALITY CORPORATION, by Stephen D. Mears, requests a rezoning of 1.02 acres, being in the C-4 and D-7 Districts, to the C-4 classification to correct a mapping error related to petition 76-Z-141.

REZONING ORDINANCE NO. 122, 2000.
2000-ZON-017

7209 EAST 96TH STREET (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 3
ELKHART REALTY CORPORATION, by Mary E. Solada, requests a rezoning of 88 acres, being in the I-2-S District, to the C-S classification to provide for regional commercial retail development, including most uses permitted in the C-4 District.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 275, 2000. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 275, 2000 on May 4 and June 1, 2000. The proposal approves an increase of \$59,000 in the 2000 Budget of the Department of Capital Asset Management (Federal Grants Fund) to pay for the design of a constructed wetland for the Fall Creek Watershed near the Indiana State Fairgrounds, financed with federal funds. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 275, 2000 was adopted on the following roll call vote; viz:

26 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Tilford*
0 NAYS:
3 NOT VOTING: *Gray, Horseman, Talley*

Proposal No. 275, 2000 was retitled FISCAL ORDINANCE NO. 50, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional Fifty Nine Thousand Dollars (\$59,000) in the Federal

Grants Fund for purposes of the Department of Capital Asset Management 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(L) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management to pay for the design of a constructed wetland for the Fall Creek Watershed near the Indiana State Fairgrounds.

SECTION 2. The sum of an additional Fifty Nine Thousand dollars (\$59,000) 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>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	59,000
TOTAL INCREASE	59,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	59,000
TOTAL REDUCTION	59,000

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. 325, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 325, 2000 on May 10, 2000. The proposal approves an increase of \$130,396 in the 2000 Budget of the Marion County Superior Court (County General Fund) to fund the move of the Domestic Violence Court from G24 to the 4th floor in the City-County Building, financed by fund balances. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 325, 2000 was adopted on the following roll call vote; viz:

- 24 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Dowden, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, Short, Soards, Talley, Tilford
- 0 NAYS:
- 5 NOT VOTING: Douglas, Gibson, Horseman, SerVaas, Smith

Proposal No. 325, 2000 was retitled FISCAL ORDINANCE NO. 51, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Thirty Thousand Three Hundred Ninety-

six Dollars (\$130,396) in the County General Fund for purposes of the Marion County Superior Court 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(h) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund the move of the Domestic Violence Court from G24 to the 4th floor in the City-County Building.

SECTION 2. The sum of One Hundred Thirty Thousand Three Hundred Ninety-six Dollars (\$130,396) 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>COUNTY GENERAL FUND</u>
3. Other Services and Charges	114,501
4. Capital Outlay	<u>15,895</u>
TOTAL INCREASE	130,396

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>130,396</u>
TOTAL REDUCTION	130,396

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 327-329, 2000 on May 24, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 327, 2000. The proposal approves an increase of \$110,402 in the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate a state grant for the Indiana Juvenile Justice Task Force for the Juvenile Support Services Project. PROPOSAL NO. 328, 2000. The proposal approves an increase of \$87,000 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate a state grant for the Indiana Juvenile Justice Task Force for the Juvenile Detention Mental Health & Substance Abuse Assessment. PROPOSAL NO. 329, 2000. The proposal approves an increase of \$48,719 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the state grant for Reach for Youth, Teen Court Project. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President SerVaas called for public testimony at 8:02 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 327-329, 2000 were adopted on the following roll call vote; viz:

26 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley
 0 NAYS:
 3 NOT VOTING: Gibson, Horseman, Tilford

Proposal No. 327, 2000 was retitled FISCAL ORDINANCE NO. 52, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Ten Thousand Four Hundred Two Dollars (\$110,402) 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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to appropriate a state grant for Indiana Juvenile Justice Task Force, for the Juvenile Support Services Project.

SECTION 2. The sum of One Hundred Ten Thousand Four Hundred Two Dollars (\$110,402) 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:

MARION COUNTY SUPERIOR COURT
JUVENILE DIVISION

STATE AND FEDERAL GRANTS FUND

3. Other Services and Charges	110,402
TOTAL INCREASE	110,402

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

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered State and Federal Grants Fund	110,402
TOTAL REDUCTION	110,402

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. 328, 2000 was retitled FISCAL ORDINANCE NO. 53, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Eighty-seven Thousand Dollars (\$87,000) 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 2000 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to appropriate the grant for the Juvenile Detention Mental Health & Substance Abuse Assessment by the Indiana Juvenile Justice Task Force.

SECTION 2. The sum of Eighty-seven Thousand Dollars (\$87,000) 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>JUVENILE DIVISION</u>	
3. Other Services and Charges	<u>87,000</u>
TOTAL INCREASE	87,000

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

<u>STATE AND FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered State and Federal Grants Fund	<u>87,000</u>
TOTAL REDUCTION	87,000

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

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

Proposal No. 329, 2000 was retitled FISCAL ORDINANCE NO. 54, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Forty-eight Thousand Seven Hundred Nineteen Dollars (\$48,719) 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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to continue the Reach For Youth Grant, Teen Court Project.

SECTION 2. The sum of Forty-eight Thousand Seven Hundred Nineteen Dollars (\$48,719) 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>JUVENILE DIVISION</u>	
3. Other Services and Charges	<u>48,719</u>
TOTAL INCREASE	48,719

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>48,719</u>
TOTAL REDUCTION	48,719

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 reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 330, 331, and 363, 2000 on May 24, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 330, 2000. The proposal approves an increase of \$14,685 in the 2000 Budget of the of Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the state grant for Reach for Youth, Adolescent Sexual Adjustment Project. PROPOSAL NO. 331, 2000. The proposal approves an increase of \$42,720 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue funding for Child Advocates, funded by an Indiana Criminal Justice Institute grant. PROPOSAL NO. 363, 2000. The proposal approves an increase of \$445,100 in the 2000 Budgets of the County Auditor and Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities, funded by a grant from the Indiana Criminal Justice Institute. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President SerVaas called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal Nos. 330, 331, and 363, 2000 were adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Smith, Soards, Talley, Tilford*

0 NAYS:

4 NOT VOTING: *Black, Gibson, Horseman, Schneider*

Proposal No. 330, 2000 was retitled FISCAL ORDINANCE NO. 55, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Fourteen Thousand Six Hundred Eighty-five (\$14,685) 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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to continue of the Reach For Youth Grant, Sexual Adjustment Project.

SECTION 2. The sum of Fourteen Thousand Six Hundred Eighty-five (\$14,685) 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>JUVENILE DIVISION</u>		<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges		14,685
TOTAL INCREASE		14,685

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	14,685
TOTAL REDUCTION	14,685

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. 331, 2000 was retitled FISCAL ORDINANCE NO. 56, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Forty-two Thousand Seven Hundred Twenty Dollars (\$42,720) 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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court, Juvenile Division, to continue funding Child Advocates.

SECTION 2. The sum of Forty-two Thousand Seven Hundred Twenty Dollars (\$42,720) 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>JUVENILE DIVISION</u>		<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges		42,720
TOTAL INCREASE		42,720

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	42,720
TOTAL REDUCTION	42,720

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

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

Proposal No. 363, 2000 was retitled FISCAL ORDINANCE NO. 57, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) in the State and Federal Grants Fund for purposes of the County Auditor and Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,bb) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Justice Agency to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities.

SECTION 2. The sum of Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	41,779
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	190,695
3. Other Services and Charges	212,626
TOTAL INCREASE	445,100

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	445,100
TOTAL REDUCTION	445,100

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 No. 362, 2000 next. Consent was given.

PROPOSAL NO. 362, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 362, 2000 on May 24, 2000. The proposal, sponsored by Councillor Borst, approves an increase of \$30,000 in the 2000 Budgets of the County Auditor and Forensic Services Agency (Pre-Trial Release Fund) to pay part of the salary of an additional chemist for six months, financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 362, 2000 was adopted on the following roll call vote; viz:

- 26 YEAS: *Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford*
 1 NAY: *Black*
 2 NOT VOTING: *Gibson, Horseman*

Proposal No. 362, 2000 was retitled FISCAL ORDINANCE NO. 58, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Thirty Thousand Dollars (\$30,000) in the Pre-Trial Release Fund for purposes of the County Auditor and Forensic Services Agency and reducing the unappropriated and unencumbered balance in the Pre-Trial Release 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,x) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Forensic Services Agency to fund part of the salary for an additional chemist for six months.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>PRE-TRIAL RELEASE FUND</u>
1. Personal Services-Fringes	6,000
<u>FORENSIC SERVICES AGENCY</u>	
1. Personal Services	<u>24,000</u>
TOTAL INCREASE	30,000

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

	<u>PRE-TRIAL RELEASE FUND</u>
Unappropriated and Unencumbered	
Pre-Trial Release Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

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

PROPOSAL NO. 359, 2000. Councillor Smith stated that he was not in attendance at the last Capital Asset Management Committee meeting and deferred to Councillor Hinkle, who chaired that meeting in his absence. Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal No. 359, 2000 on May 31, 2000. The proposal, sponsored by Councillor Smith, approves an increase of \$1,200,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to match federal highway funds for the design of improvements at various thoroughfares within Marion County, financed by fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:08 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Smith, for adoption. Proposal No. 359, 2000 was adopted on the following roll call vote; viz:

27 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Smith, Soards, Talley, Tilford*
0 NAYS:
2 NOT VOTING: *Coonrod, Short*

Proposal No. 359, 2000 was retitled FISCAL ORDINANCE NO. 59, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Million Two Hundred Thousand Dollars (\$1,200,000) 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(L) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of the Department of Capital Asset Management, Asset Management Division, to match federal highway funds for the design of improvements at various thoroughfares within Marion County.

SECTION 2. The sum of One Million Two Hundred Thousand dollars (\$1,200,000) 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>ASSET MANAGEMENT DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
4. Properties and Equipment	1,200,000
TOTAL INCREASE	1,200,000

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	1,200,000
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. 364, 2000. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 364, 2000 on June 1, 2000. The proposal, sponsored by Councillors Coughenour and Cockrum, approves an increase of \$403,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (State Grants and Sanitation General Funds) to construct a sewer extension project for SVC Manufacturing in the AmeriPlex Industrial Park in Decatur Township, financed by a grant from the Indiana Department of Commerce and a payment from SVC Manufacturing. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Cockrum, for adoption. Proposal No. 364, 2000 was adopted on the following roll call vote; viz:

28 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford
0 NAYS:
1 NOT VOTING: Coonrod

Proposal No. 364, 2000 was retitled FISCAL ORDINANCE NO. 60, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Four Hundred Three Thousand dollars (\$403,000) in the State Grants and Sanitation General Funds for purposes of the Department of Capital Asset Management and reducing the unappropriated and unencumbered balances in those funds.

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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management to construct a sewer extension project in the Ameriplex Industrial Park in Decatur Township.

SECTION 2. The sum of Four Hundred Three Thousand Dollars (\$403,000) 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>	
4. Capital Outlay	<u>STATE GRANTS FUND</u>
TOTAL INCREASE	194,000
	194,000

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	
4. Capital Outlay	<u>SANITATION GENERAL FUND</u>
TOTAL INCREASE	209,000
	209,000

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	<u>194,000</u>
TOTAL REDUCTION	194,000

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	<u>209,000</u>
TOTAL REDUCTION	209,000

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. 365, 2000. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 365, 2000 on June 1, 2000. The proposal approves a transfer of \$32,000 and an increase of \$154,600 in the 2000 Budget of the Department of Public Works, Environmental Resources Management Division (Consolidated County Fund) to undertake ozone monitoring and environmental inspections, financed by a transfer and a reduction in fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:13 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 365, 2000 was adopted on the following roll call vote; viz:

24 YEAS: *Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, Smith, Soards, Tilford*
 0 NAYS:
 5 NOT VOTING: *Black, Dowden, SerVaas, Short, Talley*

Proposal No. 365, 2000 was retitled FISCAL ORDINANCE NO. 61, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional One Hundred Eighty-six Thousand Six Hundred Dollars (\$186,600) in the Consolidated County Fund for purposes of the Department of Public Works, Environmental Resources Management Division and reducing certain other appropriations for that division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Environmental Resources Management Division to undertake ozone monitoring and environmental inspections.

SECTION 2. The sum of One Hundred Eighty-six Thousand Six Hundred Dollars (\$186,600) be, and the same is hereby transferred and 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:

DEPARTMENT OF PUBLIC WORKS	
<u>ENVIRONMENTAL RESOURCE MANAGEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	186,600
TOTAL INCREASE	186,600

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

DEPARTMENT OF PUBLIC WORKS	
<u>ENVIRONMENTAL RESOURCE MANAGEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	32,000
TOTAL DECREASE	32,000

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	154,600
TOTAL REDUCTION	154,600

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

SPECIAL ORDERS - FINAL ADOPTION

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 318 and 333, 2000 on May 10 and 24, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 318, 2000. The proposal amends the Code concerning the annual leave for active deputies in the Sheriff's Department. PROPOSAL NO. 333, 2000. The proposal amends the Code concerning compensation of certain special deputies injured on duty. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that Proposal No. 318, 2000 do pass and Proposal No. 333, 2000 do pass as amended.

Councillor Sanders asked if these employees will also be covered by workers compensation. Councillor Dowden stated that they will.

Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 318, 2000 and Proposal No. 333, 2000, as amended, were adopted on the following roll call vote; viz:

28 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty, Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford

0 NAYS:

1 NOT VOTING: Coughenour

Proposal No. 318, 2000 was retitled GENERAL ORDINANCE NO. 70, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 2000

A GENERAL ORDINANCE amending the Revised Code concerning annual leave for active deputies in the Sheriff's Department.

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

SECTION 1. Sec. 281-631 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by inserting the underlined text to read as follows:

Sec. 281-631. Annual leave.

(a) Each active deputy of the Marion County Sheriff's Department hired on or before August 31, 1986, shall receive hereafter not less than one hundred twenty (120) hours annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of such department hired on or before August 31, 1986, who shall have served from ten (10) years to twenty (20) years in such department shall receive not less than one hundred sixty (160) hours annual leave with full salary each and every fiscal year. Provided further, that any active member of such department hired on or before August 31, 1986, who shall have served for more than twenty (20) years shall be entitled to forty (40) hours additional annual leave to be added to his regular annual leave. The time for such annual leave shall be subject to the approval of the sheriff.

(b) Each active deputy of the Marion County sheriff's department hired after August 31, 1986, shall receive hereafter not less than eighty (80) hours annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of such department hired after August 31, 1986, who shall have served seven (7) continuous years but less than fifteen (15) continuous years in such department shall receive not less than one hundred twenty (120) hours annual leave with full salary each and every fiscal year.

Provided further, that any active member of such department hired after August 31, 1986, who shall have served fifteen (15) or more continuous years in such department shall receive not less than one hundred sixty (160) hours annual leave. The time for such annual leave shall be subject to the approval of the sheriff.

(c) Effective January 1, 2000, an active deputy of the Marion County Sheriff's Department who, subsequent to July 1, 1996, retires after twenty (20) or more years of service or is eligible for the disability pension due to a line of duty injury or illness and is rehired by a department of the City of Indianapolis or the County of Marion in a civilian position within thirty (30) days of the date of retirement will be entitled to be paid for accumulated, unused annual leave time at his/her rate of pay at the time of retirement or eligibility for the disability pension and will be entitled to credit for years of service as an active deputy in determining benefit leave accrual pursuant to 291-203.

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

Proposal No. 333, 2000, as amended, was retitled GENERAL ORDINANCE NO. 71, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 2000

A GENERAL ORDINANCE amending the Code concerning compensation of certain special deputies injured on duty.

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

SECTION 1. Chapter 291 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Sec. 291-304 to read as follows:

Sec. 291-304. Compensation of certain employees of sheriff's department.

An employee of the Marion County Sheriff's Department who, as a result of that employment, has been granted special deputy powers and has an injury as a result of a public safety function of that employment which injury is compensable as a work injury shall receive regular compensation for the first forty (40) hours off work due to that work injury and shall thereafter receive compensation pursuant to the Indiana Worker's Compensation Law. Under no circumstances shall an employee entitled to regular compensation under this section receive or be entitled to receive in addition thereto, worker's compensation disability benefits for the first forty (40) hours off work due to that work injury

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

PROPOSAL NO. 339, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 339, 2000 on May 30, 2000. The proposal, sponsored by Councillor Short, determines that the lease of office space at 1525 South Shelby Street is needed for the Marion County Superior Court and other county officials and agencies. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coonrod stated that he had some concerns about the non-appropriation clause in the lease and had asked for the Prosecutor's Office to work on that clause and get back to the Committee before this meeting. Although he has not heard from the Prosecutor's Office and does not see anyone present to address the issue, he said that there is another opportunity to address this issue due to a proposal pending before the Public Safety and Criminal Justice Committee, and he would like to see the proposal move forward.

Councillor Coonrod moved, seconded by Councillor Langsford, for adoption. Proposal No. 339, 2000 was adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, Short, Smith, Soards, Talley, Tilford*

0 NAYS:

4 NOT VOTING: *Hinkle, Horseman, Knox, SerVaas*

Proposal No. 339, 2000 was retitled SPECIAL RESOLUTION NO. 56, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 2000

A PROPOSAL FOR A SPECIAL RESOLUTION determining that the lease of 19,000 square feet of office space at 1525 South Shelby Street, Indianapolis, Indiana, is needed for the Marion Superior Court and other County officials and agencies.

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 Marion Superior Court and other County officials and agencies is necessary.

SECTION 2. The property located at 1525 South Shelby Street, Indianapolis, Indiana is owned by JSRD, LLC. Persons with a 10% or greater interest in the property are the following: Mr. James Stackman and Mr. Richard Mann.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-1-14.

PROPOSAL NO. 360, 2000. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 360, 2000 on May 25, 2000. The proposal approves certain public purpose grants totaling \$750,000 for support of the arts. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Massie stated that he will abstain from voting on this proposal to avoid the appearance of a conflict of interest.

Councillor Borst stated that he will vote in favor of this proposal, but wants the Arts Council to do a better job of informing the Council and the public about where these grant dollars come from. He said that these dollars belong to the taxpayers and not the Arts Council, and credit needs to be given where credit is due.

Councillor Borst moved, seconded by Councillor Gray, for adoption. Proposal No. 360, 2000 was adopted on the following roll call vote; viz:

24 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Soards, Talley, Tilford*

3 NAYS: *Coonrod, Schneider, Smith*

2 NOT VOTING: *Hinkle, Massie*

Proposal No. 360, 2000 was retitled GENERAL RESOLUTION NO. 4, 2000, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2000

PROPOSAL FOR A GENERAL RESOLUTION approving certain public purpose grants totaling 750,000.00 for the support of the arts.

WHEREAS, the City-County of the City of Indianapolis and Marion County, Indiana ("City-County Council") appropriated the sum of Seven Hundred Fifty Thousand Dollars (750,000.00) in Section 4.01(d) of City-County Fiscal Ordinance No. 98, 1999, Annual Budget and Tax levies for the Consolidated City of Indianapolis and Marion County, Indiana, (Budget Ordinance) for funding arts grants to be made by the Arts Council of Indianapolis and provided that such grants shall be considered public purpose local grants; and

WHEREAS, Section 4.01(c) of the Budget Ordinance requires that sums appropriated therein for public purpose local grants shall not be spent until the City-County Council approves the amount and identity of the recipient of each grant; now, therefore

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

SECTION 1. The following grants and administrative expenses totaling Seven Hundred Fifty Thousand Dollars (750,000.00) for support of the arts is approved in the following amounts for the following organizations:

ARTS COUNCIL OF INDIANAPOLIS
2000 ANNUAL GRANT PROGRAM AWARDS

<u>Organization Name</u>	<u>Category</u>	<u>Award Amount</u>
American Pianists Association	Community Outreach	\$ 8,000.00
Ballet Internationale	Community Outreach	13,000.00
Buck Creek Players	Arts Education	2,100.00
Children's Museum of Indianapolis	Community Outreach	120,000.00
Clowes Memorial Hall	Arts Education	12,000.00
Crossroads Performing Arts	Community Outreach	2,000.00
Dance Kaleidoscope	Community Outreach	9,000.00
Edyvean Repertory Theatre	Community Outreach	8,000.00
Eiteljorg Museum of American Indians Western Art	Community Outreach	37,000.00
Freetown Village	Community Outreach	4,000.00
Gregory Hancock Dance Theatre	Arts Education	2,500.00
Hawthorne Community Center	Community Outreach	2,500.00
Indiana Film Society	Community Outreach	1,000.00
Indiana Repertory Theatre	Community Outreach	38,000.00
Indianapolis Art Center	Community Outreach	15,000.00
Indianapolis Chamber Orchestra	Community Outreach	9,000.00
Indianapolis Children's Choir	Community Outreach	8,000.00
Indianapolis Civic Theatre	Community Outreach	15,000.00
Indianapolis Museum of Art	Community Outreach	92,000.00
Indianapolis Opera	Community Outreach	16,000.00
Indianapolis Symphonic Band	Community Outreach	2,500.00

<u>Organization Name</u>	<u>Category</u>	<u>Award Amount</u>
Indianapolis Symphonic Choir	Community Outreach	5,000.00
Indianapolis Symphony Orchestra	Community Outreach	135,000.00
International Violin Competition of Indianapolis	Community Outreach	10,000.00
Kaleidoscope Church & Community Partnership	Community Outreach	1,500.00
League of Professionally Managed Theatres	Community Outreach	2,500.00
Madame Walker Theatre Center	Community Outreach	17,000.00
New World Youth Orchestras	Arts Education	2,500.00
Philharmonic Orchestra of Indianapolis	Community Outreach	1,500.00
Phoenix Theatre	Community Outreach	9,000.00
Stories, Inc.	Community Outreach	4,000.00
Susurrus	Community Outreach	1,500.00
Theatre on the Square	Community Outreach	3,200.00
Urban Arts Consortium of Indianapolis	Community Outreach	3,500.00
VSA Arts of Indiana (formerly Very Special Arts)	Community Outreach	11,000.00
Writers' Center of Indianapolis	Arts Education	2,500.00
Young Audiences of Indiana	Community Outreach	<u>12,000.00</u>
Total of Community Outreach & Arts Education Grants		\$638,300.00
American Cabaret Theatre	Mini-Grant	\$500.00
Blues, Inc.	Mini-Grant	750.00
Boom Babies Youth Development	Mini-Grant	750.00
Brookside Community Center	Mini-Grant	375.00
Capital City Chorus	Mini-Grant	750.00
Coburn Place	Mini-Grant	250.00
Citizen's Multi-Service Center	Mini-Grant	750.00
Crown Hill Heritage Foundation	Mini-Grant	375.00
Etheridge Knight Festival of the Arts	Mini-Grant	750.00
Families with Children from China, Indiana	Mini-Grant	750.00
Freedom Train	Mini-Grant	500.00
Historic Landmarks Foundation of Indiana	Mini-Grant	375.00
Indiana Irish Cultural Society	Mini-Grant	375.00
Indianapolis Housing Agency	Mini-Grant	750.00
Indianapolis Juvenile Correctional Facility	Mini-Grant	750.00
International School of Indiana	Mini-Grant	250.00
Irish Dancers of Indianapolis	Mini-Grant	240.00

<u>Organization Name</u>	<u>Category</u>	<u>Award Amount</u>
IUPUI POLIS Center	Mini-Grant	250.00
John H. Boner Community Center	Mini-Grant	750.00
Joyful Sound Productions	Mini-Grant	375.00
Mapleton-Fall Creek Neighborhood Association	Mini-Grant	375.00
Mary Rigg Neighborhood Center	Mini-Grant	750.00
National Art Museum of Sport	Mini-Grant	<u>500.00</u>
Total of Mini-Grants		\$12,240.00

ARTS COUNCIL OF INDIANAPOLIS
DISTRIBUTION OF 2000 CITY ARTS FUNDING

Grants for Community Outreach Arts Programs, adjudicated in March and April (see list above)	\$617,300.00
Grants for Arts Education Projects, adjudicated in March and April (see list above)	21,000.00
Mini-Grants for Community Arts Programs, adjudicated in January (see list above)	12,240.00
New Arts Initiatives: Arts Education Programs and Arts Education Resource Guide	19,500.00
New Arts Initiatives: Youth Arts Program with Urban Arts Consortium	1,500.00
Adjudication and Panelist Costs	16,460.00
Administration of Grants Programs, Contracts Administration, Audits, Processing, Workshops, Printing and Promotion	<u>62,000.00</u>
Total of 2000 Arts Funding as Line Item through Indy Parks and Recreation	\$750,000.00

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

PROPOSAL NO. 375, 2000. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 375, 2000 on June 1, 2000. The proposal, sponsored by Councillor Knox, determines that a health hazard exists in the ground water of the Drexel Gardens area and that the appropriate remedy for such health hazard is the extension of water service by the Indianapolis Water Company to this area. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Knox, for adoption.

President SerVaas asked what effect this proposal will have on taxpayers. Councillor Coughenour stated that this ordinance, if passed, would possibly add one quarter of a cent to a water bill.

Councillor Boyd stated that he has concerns about this type of ordinance setting precedents and encouraging like requests in the future. He stated, however, that he understands the Council has already done this, and therefore set a precedent already, and the legislature that permits this expires very soon. Councillor Coughenour stated that the legislature permitting this does not necessarily expire, but after July 1, 2000, the Council will no longer be voting on these types of

issues. These matters will be referred in the future to the Indiana Utility Regulatory Commission (IURC). She said that this will be the last time the Council will vote on a matter such as this.

Councillor Coonrod stated that he voted against the proposal in Committee. He said that he is not really opposed to a project to put water lines in this neighborhood, but thinks the Committee needs to do more work on the proposal. He said that the primary concern from the Health Department, as this proposal is really coming from them, should be for the tenants in that area, because it is the department's job to protect the general public. He said that to some extent, this proposal may be detrimental to tenants, because landlords will probably raise rents and tenants will have to pay the difference or be evicted. He added that he feels this proposal is being financed by putting an excise tax on water. He stated that necessities of life should not be taxed. He stated that the proposal would be more acceptable if a better revenue source was discovered. He said that the Health Department has been unable to persuade land and home owners in this area to pay for these lines being added to their property. Though there may be some cost effectiveness issues for homeowners, the Health Department should make it a part of their process. He said that this may not seem like a great deal of money, but decisions supporting these matters does set a precedent, and even though this body will not be making these decisions in the future, the Council will be sending a message to the Health Department that the easy way out is to charge water users. He moved to return Proposal No. 375, 2000 to Committee for further review and discussion. He stated that he would like four issues discussed further: finding out who the property owners are, ensuring that the tenants do not get gouged with higher rents, researching a less-regressive financing source than a water tax, and determining if there are landlords or industries contributing to the pollution of these wells who should be asked to bear some of the cost of this \$2 million project. Councillor Bradford seconded the motion to return the proposal to Committee.

Councillor Coughenour stated that Councillor Coonrod's reasoning is flawed. If Councillor Coonrod is concerned about a user fee being a tax, then perhaps the City should not be charging any of its citizens for use of water. She added that if this proposal is sent back to Committee, it will simply kill the proposal, because after July 1, the Council no longer has jurisdiction on these matters. She encouraged Council members to defeat the motion to return the proposal to Committee. She said these people have to have water and cannot afford to hook up to it, and she believes this is the right thing to do.

Councillor Short asked which motion on the floor takes precedence. General Counsel Robert Elrod stated that the motion to return to Committee takes precedence over the motion for adoption. Councillor Short stated that this issue has been addressed for many years at many levels. He said that he somewhat understands Councillor Coonrod's logic, but this is a necessity of life, and these people need water. He urged fellow Councillors to vote against the motion to return to Committee and vote in favor of adoption.

Councillor Bradford stated that he seconded the motion to return the proposal to Committee because this project includes over 300 parcels, and he would like the opportunity to look at which of these properties are owned by landlords, who should have done the right thing a long time ago. He added that only one-third of these wells have tested unsatisfactory, and he believes Health and Hospital needs to do their job first before this action is taken.

Councillor Borst stated that he is opposed to sending the proposal back to the Committee. He said that he sponsored the ordinance that set this precedence two years ago, and it was not done lightly. He said that there are approximately 15 hoops Health and Hospital must jump through before bringing such a matter to the Council. He said that this ordinance is used only as a last

resort, and three such projects have been done before, and the project in his district was a great thing for his district.

Councillor Cockrum stated that one of these projects benefited his district, and his constituents are very appreciative. He said that he is also opposed to sending the proposal back to Committee. He added that other utilities have costs for users to hook up to amenities provided to their streets, and he believes the water company should look at a long range plan to provide water lines down streets, so that people will not have to pay for these expenses.

Councillor Tilford asked if this proposal is returned to Committee, if the IURC will make the determination on this particular project. Councillor Coughenour stated that this is correct. Councillor Tilford said that with contaminated wells, it seems there are some other environmental issues that need to be addressed, as well.

Councillor Knox stated that this project is in his district, and he knows a number of these residents who moved out to that area several years ago in order to be on well water. He stated that the average income of these residents is \$24,000 to \$26,000 a year, and these people simply cannot afford the cost to have these lines put in. The residents will have to cap their wells, and there are medical issues also of some residents who have to go to a medical facility for dialysis because their wells are contaminated.

Councillor Boyd stated that if the logic is followed that the people in this area should be denied the use of this tool because there is a lower level of home ownership, then correspondingly this says that this tool should only be made available to the more affluent, and he finds this very difficult to endorse. He stated that this seems to be contrary to the philosophy behind offering this kind of aid.

Councillor Gray stated that he supports the proposal and finds it hard to believe that the Council is discussing the priorities of people having clean water, yet can agree to spending thousands of dollars for a dog park.

Councillor Bradford stated that he does not have a problem with getting clean water to these residents, but that he feels if two-thirds of the wells are okay, it seems that maybe the project can be scaled down. He added that the City also needs to look at who is contaminating these wells and take legal action if needed. He said that this is the reason he believes it should be sent back to the Committee, because there are so many factors that have not been explored.

Councillor Schneider stated that no one is against clean water for citizens, but there are still so many questions that need to be answered, and he believes sending the proposal back to the Committee will not ultimately cause any harm.

President SerVaas stated that being a medical doctor, he understands the health hazards that contaminated wells can cause. He stated that most times, though, when there is contamination, it can be traced to the polluter, and the polluter must pay the bill. He stated that in this case, there is no way to trace the contamination to a specific polluter, and while landowners could help with the cost, there is a greater problem at hand.

President SerVaas called for a voice vote on the motion to return Proposal No. 375, 2000 back to Committee. The President ruled that the motion failed.

Proposal No. 375, 2000 was adopted on the following roll call vote; viz:

23 YEAS: *Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Conley, Coughenour, Douglas, Gibson, Gray, Hinkle, Horseman, Knox, Massie, Moriarty Adams, Nyles, Sanders, SerVaas, Short, Smith, Soards, Talley*
6 NAYS: *Bradford, Coonrod, Dowden, Langsford, Schneider, Tilford*

Proposal No. 375, 2000 was retitled SPECIAL ORDINANCE NO. 6, 2000, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 2000

A SPECIAL ORDINANCE determining that a health hazard exists in the ground water of the Drexel Gardens area of Marion County, Indiana, and that the appropriate remedy for such health hazard is the extension of water service by the Indianapolis Water Company to this area.

WHEREAS, P.L. 221-1997, authorizes a municipal council, after confirmation by an appropriate public health agency, to determine that an area within the municipality served by private water wells suffers from a health hazard due to the presence of a contaminant, as defined in IC 13-11-2-42, and to request that the public utility providing water service within the municipality extend service to such area and add the total capital cost of doing so (including a reasonable rate of return) to its base; provided that, no customer's monthly payment may be increased by more than one percent (1%), without the approval of the Indiana Utility Regulatory Commission; and

WHEREAS, Article I of Chapter 711 of Title III of the Revised Code of the Consolidated City and County (Revised Code) sets out the procedure whereby the City-County Council (Council) can make such a determination and request; and

WHEREAS, the Health & Hospital Corporation of Marion County (H&HC), by and through its Marion County Health Department (MCHD), has confirmed that a health hazard exists, based on the presence in the ground water of one or more contaminants, as defined by IC 13-11-2-42, in the Drexel Gardens area.

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

SECTION 1. The City-County Council now determines that a health hazard exists based on the presence in the ground water of a contaminant, as defined by IC 13-11-2-42, in the Drexel Gardens area of Marion County, which area currently is served by private water wells, and further determines that the appropriate remedy for such hazard is that the Indianapolis Water Company (IWC) be required to extend to this area IWC's mains and to perform the service connections, including well abandonment procedures, consistent with the cost estimates outlined below. A description of the area, the reasons for the Council's determination, and the IWC's cost estimates to extend water service to each area follow.

SECTION 2. IC 13-11-2-42 defines a contaminant as any solid, semi-solid, liquid, or gaseous matter, or any odor, radioactive material, pollutant (as defined in the federal Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), as in effect on January 1, 1989), hazardous waste (as defined by the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as in effect on January 1, 1989), any constituent of a hazardous waste, or any combination of the items described in this section, from whatever source, that:

- (1) is injurious to human health, plant or animal life, or property;
- (2) interferes unreasonably with the enjoyment of life, or property; or
- (3) otherwise violates:
 - a. environmental management laws; or
 - b. rules adopted under environmental management laws.

SECTION 3. As required by Revised Code Sec. 711-112(2), the following findings and conclusions support the Council's determination for the Drexel Gardens area:

(a) The Drexel Gardens area includes these approximate Street boundaries: Plainfield Avenue, (North), Kelly Street (South), Cole and Phillips Drive (East), and Worth and Biltmore Avenue (West).

(b) IWC provides water service in the area, and the location of IWC's nearest existing water mains range from fifty feet (50') to two thousand five hundred feet (2,500').

(c) Approximately 367 structures in the Drexel Gardens Area do not have access to a public water main; and are presently using private wells as the source of drinking water.

(d) A health hazard exists in the Drexel Gardens Area because of the presence in the ground water of the following contaminants as defined by IC 13-11-2-42; elevated levels of chloride volatile organic compounds and the presence of potentially disease-causing bacteria.

(1) 6% of the samples taken by MCHD in 1999 show chloride levels in the Drexel Garden Area water exceed or one ½ the standard above the recommended State and Federal maximum contaminant level (MCL) of 250 ppm established by the Safe Drinking Water Act. 42 U.S.C. 300f et seq., as adopted by the State of Indiana at 327 I.A.C. 8-2 et seq. Water with chloride levels in the range could complicate the treatment of hypertensive patients on salt restricted diets.

(2) MCHD ground water sampling showed that 37% of the wells in the Drexel Garden Area had a positive test for coliform bacteria. The Environmental Protection Agency (EPA) has set the Maximum Contamination Goal at zero for the presence of coliform bacteria. Drinking water with positive test for coliform bacteria increases the risk of one or more classes of waterborne Pathogens: bacteria (Campylobacter, Escherichia coli, Salmonella or Shigella), viruses (Norwalk-like or Hepatitis A), or protozoa (Cryptosporidium parvum or Giardia lamblia), which cause serious illness or be fatal in "at risk" populations, such as children, the elderly, and persons whose immune systems are suppressed.

(3) MCHD ground water sampling detected volatile organic compound (VOC) trichloroethylene (TCE) ranging 9.1 ug/l - 13.7 ug/l or parts per billion (ppb) in at least two homes. These levels are above the State and Federal Standard of 5 ug/l. TCE is a commonly used industrial solvent, and used as a diluent in paints and adhesives. Low to moderate TCE levels in the water and air affect the human central nervous system. Death can occur with extremely elevated TCE exposure. In addition, TCE can degrade into other compounds, some of which are more harmful to human health than TCE. For example, TCE can degrade into vinyl chloride, which is a known human carcinogen and has an MCL of 2ppb or 2.5 times less than TCE. Sampling data revealed the presence of 11 different VOC's in 4% of the homes. All levels for these VOC's were below the current Federal and State Standards. However, little is known about the health affects of long term, low level exposure to multiple chemicals in drinking water.

(4) MCHD is aware of petroleum contaminated soil along Minnesota Street and Caven Street. The amount Total Petroleum Hydrocarbon (TPH) in the soil requires classification for proper disposal. Testing by MCHD of the wells in this location do not yet show the presence of contamination from this source, however, the private wells are at higher risk due to their proximity. The source of contamination has not been identified.

(e) IWC estimates the cost of water main extension, testing and disposal of potentially contaminated soil, service line connection, and well abandonment to all structures in the Drexel Gardens area subject to the health hazard to be \$2,187,132. The anticipated percent IWC rate increase for this cost is 0.25%. IWC annual revenue from the reasonable rate of return (the most recent rate of return authorized by the Indiana Utility Regulatory Commission) is \$234,570.

(f) The average annual household income for the Drexel Garden Area according to 1990 Census Data is \$23,716.

(g) There are no other known potential sources of funding to extend water services to the Drexel Gardens Area. No pending enforcement actions seek reimbursement for these expenses. The high cost of extending water service to the Drexel Gardens Area, coupled with residents' limited financial resources, has been identified for many years as an obstacle to the extension of such service.

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 Coonrod stated that he will ask the Health Department to look at these residences a year later and see if rents were raised as a result of the installation of these water lines.

President SerVaas called for a brief recess at 8:54 p.m.

SPECIAL ORDERS - PUBLIC HEARING - REZONING

President SerVaas reconvened the meeting at 9:12 p.m.

PROPOSAL NO. 384, 2000. President SerVaas stated that Proposal No. 384, 2000 was scheduled for public hearing by the full Council on May 22, 2000. He stated that a preliminary meeting between the petitioners and remonstrators did not resolve the issues and concerns surrounding the project. The proposal proposes to rezone 1.66 acre at 1428 Everett Street in Center Township, being in the D-8 District, to the SU-1 classification to provide for religious uses (2000-ZON-042) (District 17).

Councillor Knox, in whose district this rezoning project is located, stated that this property consists mainly of former Indianapolis Public School (IPS) #16, which he attended from first through eighth grade. The property was purchased from IPS by a citizen of Carmel, Indiana, in 1995. Although the Church of Jesus Christ of Latter Day Saints claims ownership of the property, the ownership is still on record as belonging to Mr. Burch. Councillor Knox stated that rezoning the property from medium-density housing to church use is not in the best interest of the community he represents. He stated that he sought the opinions of the business owners and owners of real estate in the adjacent neighborhood, commonly known as Stringtown. Almost unanimously, these owners were opposed to changing the zoning from housing to church use. The most common reasons for opposition to this change were that the church would bring no new residents to the community, nor would it provide tax revenues. He stated that this neighborhood is already rich in churches. He provided Council members with a map of the surrounding area and indicated on this map those persons to whom he has spoken that oppose this rezoning.

Cameron Clark, attorney for the petitioner, The Church of Jesus Christ of Latter Day Saints, stated that the church has been looking for a site in the central Downtown area for nearly 10 years. He stated that the church attempted to locate in Lockerbie last year, and was unsuccessful. The church has chosen this site for various reasons, one of which is its proximity to the Indiana University-Purdue University of Indianapolis (IUPUI) campus. Old Public School #16 was built in the mid-late 1800s and was abandoned by IPS in 1973. Later, the acreage was declared surplus property and was put up for auction and was purchased by a private taxpayer of Marion County. The property has been boarded up for nearly 30 years. Until the property was put up for auction and purchased, no taxes were paid on this property for a substantial number of years. The building is in a severely dilapidated condition and also has an asbestos problem that needs to be dealt with. He said that the site is currently zoned D-8 and according to the Comprehensive Plan is appropriate for medium-density residential. A staff report issued by the Division of Planning of the Department of Metropolitan Development (DMD) indicates that church uses are compatible uses in residentially zoned areas. Since the 1950s, the State Supreme Court has firmly embraced the principle that the building of churches may not be prevented in residential districts. Mr. Clark stated that the petitioner seeks to build a brand new place of worship on this site. This project will require the demolition of School #16, and will entail a one-story all brick facility, with plenty of on-site parking and more than ample landscaping. The total investment will be approximately \$100 to \$125 per square foot. The current site has been an eyesore for many years, and the inside of the current building is beyond repair. He stated that this area needs investment, and the petitioner is willing to invest in this area, the first such person to be willing to do so in many years. Mr. Clark stated that public funds are not unlimited, and he believes the City should be willing to embrace groups or individuals willing to invest money into an area that desperately needs it. Currently, the site generates \$2,867.50 in taxes per year. The Auditor's Office informed him that if residential development took place on this site, the tax benefit would

be negligible and would not be a substantial amount. He said that at most \$35,000 has been paid in taxes on this property since the mid 1850s. He asked how much of that \$35,000 has been funneled back into this neighborhood, and stated that he doubts it has been much of a benefit to the community. He stated that the Church of Jesus Christ of Latter Day Saints is an internationally recognized, community oriented church, loaded with people and resources to invest in the community. He said that if this development is approved, the church has pledged to offer support in assuring that a community center, which the community has been wanting for a long time, is built in the neighborhood. The church pledges to do this by saving money on construction costs, and salvaging the bricks and limestone from the demolition phase and at their own expense deliver that material to the proposed site for a community center, or have those salvaged materials sold and the money donated to the construction of such a center. Mr. Clark stated that the church has found three sub-contractors that are willing to give labor, resources, and services at no charge toward the development of a community center in this area. He stated that this is just one example of how this petitioner is committed to meeting the needs of their community, and they have pledged the use of this facility for neighborhood and community meetings. He stated that the church has partnered with Red Cross to provide services such as an emergency shelter. The site would also provide services such as a genealogical research center, employment counseling, educational programs, language programs, Head Start programs, and youth programs to anyone, not just church members. He stated that the loss of \$2,800 in tax revenue would not even come close to the benefits the community will receive by having this church as a neighbor.

Jerome Harrington, Director of Emergency Services for Red Cross of Greater Indianapolis, stated that his organization provides disaster relief, and the biggest part of this takes place right in the local community. The Red Cross responds to the needs of families on a daily basis that have been victims of disaster, such as residential fires. He stated that his organization relies heavily on people from the community and organizations that are willing to support their efforts, and the Church of Jesus Christ of Latter Day Saints has been a front runner in supporting these causes both locally and nationally. He stated that he supports the rezoning of this property.

William V. Bartow, attorney for the remonstrators, stated that he cannot disagree with any of the comments made by the petitioner's attorney regarding the quality of the organization seeking to rezone this property. He stated that the church has proven to be a good neighbor and does help their community. However, he said that the regional plan for the City of Indianapolis calls for the development of medium-density housing on this particular piece of property. He said that the planners and neighborhood felt this is the best use of the property. Medium-density housing would allow the construction of anywhere from 45 to 80 residential units on this property. If the zoning is not changed, it is a strong likelihood that this is exactly what will happen on this property at some time in the near future. This property is located on a highly traveled corridor of the City, West Washington Street and White River Parkway. He stated that it is a desirable property for residents because of its proximity to Downtown and the IUPUI campus. He stated that with 45 to 80 housing units on this property, the City would create \$4 to \$5 million a year in tax assessments. He stated that tax rates in Center Township are very high because property keeps being taken off the tax rolls. He asked those in attendance who support the petitioner that actually live in the Stringtown area to stand up.

Daniel Fugate, president of the Stringtown Neighborhood Association and Westside Cooperative Organization (WESCO), stated that the boundaries of Stringtown are the Conrail track south of Washington Street, Michigan Street on the north, White River Parkway on the east, and Belmont Avenue on the west. He said that an informational meeting was held by WESCO, and most of the people are opposed to the church locating on this property instead of housing. He stated that he is

not against the church locating within the neighborhood, but is against this property being rezoned. He said that churches are already struggling to survive in the neighborhood, and one is actually moving out of the area, and perhaps that property could be used.

Bob Marshall, business owner in Stringtown with property adjacent to the proposed rezoning, stated that housing is needed in this area, and there have been other developers negotiating contracts for housing in the area. He said that Browning Investments has also inquired about the property. He stated that there are already several churches in the neighborhood and a larger church may take away from these smaller churches.

George Encoff, owner of Encoff's Tavern located a block from the property, stated that another church in the area would curtail residential or other commercial development in the neighborhood.

Jeff Knox, son of Councillor Knox who is a business owner and resident of Stringtown, stated that four members of the church stood up when identifying actual residents of Stringtown. He said that he has eight brothers and sisters who are residents of Stringtown that outnumber these members. He asked all those members of the church who are students at IUPUI to stand. He stated that these members are temporary residents and are not committed to this community. He stated that another church is not needed in the area.

Dr. John Chitman, president of the Church of Jesus Christ of Latter Day Saints, stated that he represents 3,000 members of his church that reside in Marion County. He stated that he has provided a fact sheet to Council members as to the history of the church in Indianapolis. He stated that the church has tried to work this out with Councillor Knox and be supportive to the community. He said that most of the important things in life happen in the community church, and he appreciates the civic pride that exists in this community. The church brings confidence in the area and its people and are willing to invest in a new building and many services to the community. He said that the church would like to be a part of the solution to making this community better.

Mr. Clark stated that this property has been vacant for almost 30 years, and although previous testimony indicated that there are negotiations from developers, the owner has not had one legitimate inquiry about his property prior to the petitioner's request. He said that medium-density housing is classified as 27 units per acre. With only 1.3 acres to develop, the property would only allow for 37 units, not 45 to 80 units. The tax revenues from such a development is not quantifiable and would probably not be substantial. He said that even though many of these church members may not live directly in Stringtown, the majority live in the WESCO area, and are committed to this community and may even wish to locate closer to their church home in the future if the rezoning is granted. He stated that the church also has a petition signed by many residents of this area who want the church to locate in this area, and the majority of them are residents, not simply business owners.

Mr. Bartow stated that for 25 of the 30 years of vacancy Mr. Clark referred to, the school corporation was holding onto the property because they were indecisive about what they wanted to do with it. He said that the petitioner says the rezoning for church use is good for the neighborhood, but his question is who decides what is best for a neighborhood, the neighborhood itself, or outside organizations. He stated that Councillor Knox has talked to the neighbors and they do not want the zoning changed.

Councillor Dowden asked Mr. Bartow if the figures he represented regarding the building of 45 to 80 housing units producing \$4 to \$5 million in annual taxes is accurate. Mr. Bartow stated that he testified that this number of units would produce \$4 to \$5 million in tax assessment, not in actual taxes. He said that medium-density housing calls for 27 to 49 units per acre, and with 1.66 acres involved in this property, it comes out to 45 to 80 units possible. He said that he is not a building expert, but the allowable use calls for this number.

Councillor Hinkle stated that he has spoken to several neighborhood people by virtue of his position as Chairman of the Metropolitan Development Committee. He said that investment must start somewhere, and there has been no major interest in this particular piece of property for several years. He said that he believes this project may be the pebble that begins a ripple in this area of further investment in the community. He stated that the location of the Indianapolis Zoo along this corridor was supposed to be the impetus for more growth in that area. Unfortunately, this growth has not taken place. This development could well be the impetus to stimulate such growth. The church has offered some exceptional services to not only members of the church, but members of the community. The entire project can only enhance the area. Councillor Hinkle showed a picture of the current property and the project that is proposed, and stated that he believes investors would be more attracted to an area that is not an eyesore, and this church will help draw investors to the neighborhood.

Councillor Smith stated that this is the first time he has ever seen a tavern owner speak against a church, and that the reverse is more often the case. He said that the list of remonstrators he received only included eight names. He asked if he received the entire list. Councillor Knox stated that the list to which Councillor Smith refers is only a list of business owners, not residents. Councillor Smith asked if there is a petition signed by residents. Councillor Knox stated that he did not bring one with him, but one with over 125 names was turned over to the Metropolitan Development Commission (MDC) when the case was heard before that body.

Councillor Smith stated that having worked in the Assessor's Office, he has some doubt as to the validity of tax assessment estimates for a housing development as testified by Mr. Bartow. He asked which type of development would create a greater demand on public service. Mr. Bartow stated that obviously, people would create a greater demand. Councillor Smith stated that it seems the taxes generated would still fall short of paying for police, fire, sanitation, and education services created by the housing development. Mr. Bartow stated that he does not know if it would fall short, and the type of housing would be similar to housing on the other side of the river, and these people do not call for many services. Councillor Smith asked if Mr. Bartow has been hired by the remonstrators. Mr. Bartow stated that he is not hired by anyone and he is here as a volunteer.

Councillor Sanders stated that the church referred to employment and training services being offered. She asked if the church has a history of offering such programs and what their placement rates are. Dr. Chitman said that the services to which Councillor Sanders refers are more along the line of training, interview preparedness, and resume development. He said that they would not necessarily be placing employees in jobs. Councillor Sanders stated that Goodwill Services also provides these types of services in that area. She asked to what degree the church will work to upgrade housing in the community as testified. Dr. Chitman stated that the church does a lot of volunteer work with other groups such as Habitat for Humanity, but does not have its own specific program.

Councillor Horseman stated that this is a hard decision to make, because certainly the church has a lot to offer the community. On the other hand, the people who actually live in the

neighborhoods and participate in drafting the Comprehensive Plan have a vision for their neighborhood. She said that she believes this area will be ripe for development in the near future, and the City should commit to this area to help spread growth. She added that, even though she has a nephew who is a member of this church, she has to support the neighborhood and its vision for their community.

Councillor Bainbridge stated that one of the remonstrators testified that Browning Investments is interested in this property, and asked how firm an offer this is. Mr. Bartow stated that Browning Investments has not made an inquiry specific to this property, but has made inquiries and negotiations about surrounding properties.

Councillor Gibson stated that he believes in the church playing a vital role in communities. He stated that in the fact sheet received from the church, a facility at 38th Street and Sherman Drive was abandoned in 1974 for security reasons. He asked what these security issues were and what would preclude this from happening again. Dr. Chitman stated that this building was built largely from donations of citizens of the community and members of the church. He said that several women were held up at gunpoint and robbed. The church sold the building and moved to the suburbs. In a sense, the church did abandon those residents of the inner City, and they have spent 30 years trying to get back into Center Township to care for the people they should have cared for all along.

Councillor Conley asked if there is any definite plan on the table for a housing development on this property. Mr. Bartow stated that he does not know of any definite plans, but Councillor Knox is working with Housing and Urban Development (HUD) to work on soliciting such a development. However, at this time, these discussions are merely in the planning stages.

Councillor Boyd asked how Stringtown relates geographically to the proposed rezoning. Mr. Bartow referred to the map provided by Councillor Knox, and stated that it is a relatively small area.

Councillor Massie asked if Mr. Bartow envisions that a housing development would have a greater impact on property values than a church would. Mr. Bartow stated that this is correct. He said that additional people in the neighborhood as residents would draw additional investments, such as a grocery store, drug store, and health services.

Councillor Massie stated that a bi-partisan review is currently taking place of the ethics ordinance, and he has concerns about the personal interest in property owned by Councillors. He stated that he feels the pecuniary interest of a Councillor in a property or business might possibly be a basis for recusal in voting on such a matter. He said that these concerns about the appearance of a conflict of interest complicates his thinking in this matter.

Councillor Borst asked if the Stringtown Neighborhood Association or WESCO took an official vote on this project. Mr. Fugate stated that the community meetings were simply informational, and no official votes were taken. Councillor Borst stated that he has concerns that more neighborhood people did not show up to support either side.

Councillor Talley stated that he spoke with Councillor Knox earlier, and he said he went door to door and portrayed on the map he provided those citizens he spoke to. He said that Councillor Knox stated that he will represent his people. Councillor Talley stated that he will always support the district Councillor and trust that he has the best interest of his constituents at heart. He commended Mr. Bartow for helping to represent the remonstrators in a voluntary capacity.

Councillor Hinkle stated that he received a letter from Diane Arnold, the director of the Hawthorne Community Center, who is also present this evening and is in support of the rezoning. He said that although she does not live in the immediate Stringtown area, she lives in the community and the Center is a part of the community.

Councillor Knox stated that any developer would "break their neck" to get 1.66 acres of ground tax-free. He said that this corridor is a prime piece of property. He said that he is not against this church. Even if his personal church wanted to locate on this property, he would oppose it. He stated that there is another abandoned school in the area that is an even bigger eyesore than this abandoned property. He said that he was born on the very street he lives on now, and has buried a son, a daughter, a granddaughter, and a great-granddaughter in this neighborhood. This neighborhood is in transition, and is trying to revitalize housing in the area. He stated that he will help this church if they want to locate on the abandoned School #30 property. He said that Mr. Marshall has a negotiation contract on his property, which is adjacent to this property, from Duke Realty, and it is only a matter of time before such a development can be negotiated for this property, as well. He said there have been at least four developers interested in this area. He stated that this area is already rich in churches, and the community needs more retail, commercial, and residential developments. Councillor Knox stated that one of the leaders of another Council Committee made the statement that it was ludicrous that he is even serving on the Council, since he does not have a high school diploma. He said that he has raised 10 kids, run his own business and turned it over to his sons, which a lot of people with degrees could not have done. He added that as long as he is on this Council, he will support the district Councillor as knowing what is best for his community and he would not oppose the residents.

President SerVaas stated that a "yea" vote will be a vote to sustain the decision of the lower body, the MDC, and a "nay" vote would be to override that decision and deny the rezoning. Mr. Elrod explained that in order to overturn the decision of the lower body, a minimum of 18 "nay" votes are needed. The motion to overturn the decision of the lower body failed on the following roll call vote; viz:

12 YEAS: Bainbridge, Bradford, Coonrod, Coughenour, Dowden, Hinkle, Langsford, Schneider, SerVaas, Short, Smith, Tilford
17 NAYS: Black, Borst, Boyd, Brens, Cockrum, Conley, Douglas, Gibson, Gray, Horseman, Knox, Massie, Moriarty Adams, Nyles, Sanders, Soards, Talley

Proposal No. 384, 2000 took effect as if adopted by the City-County Council, and was retitled for identification as REZONING ORDINANCE NO. 123, 2000, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 123, 2000.
2000-ZON-042
1428 EVERETT STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 17
THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, by Cameron F. Clark, requests a rezoning of 1.66 acres, being in the D-8 District, to the SU-1 classification to provide for religious uses.

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 Langsford in memory of Steve Zimmerman; and
- (2) Councillor Moriarty Adams in memory of Mary Ann Feeney and Marilyn Murphy Jeffers.

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 Steve Zimmerman, Mary Ann Feeney, and Marilyn Murphy Jeffers. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:32 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 19th day of June, 2000.

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)