

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

**REGULAR MEETINGS
MONDAY, JULY 10, 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 7:12 p.m. on Monday, July 10, 2000, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Bradford recognized former Councillor W. Tobin McClamroch. Councillor Borst introduced local attorney and member of the Board of Trustees for Purdue University, Bill Monroe. Councillor Black recognized Donnie Walsh, president of the Indiana Pacers.

OFFICIAL COMMUNICATIONS

Councillor Cockrum reviewed the schedule for the upcoming Scarborough Peace Games and stated that all Councillors should have received an agenda and a questionnaire regarding their participation in Council activities. He stated that there are 675 registered participants from each city which is up from 528 participants last year, and 350 participants the year before.

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, July 10, 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

June 20, 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, June 23, 2000, a copy of a Notice of Public Hearing on Proposal Nos. 361, 398-403, 406-413, 416, and 417, 2000, said hearing to be held on Monday, July 10, 2000, at 7:00 p.m. in the City-County Building.

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

June 30, 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. 50, 2000 - 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

FISCAL ORDINANCE NO. 57, 2000 - 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

FISCAL ORDINANCE NO. 58, 2000 - 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

FISCAL ORDINANCE NO. 59, 2000 - 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

FISCAL ORDINANCE NO. 60, 2000 - 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

FISCAL ORDINANCE NO. 61, 2000 - 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

GENERAL ORDINANCE NO. 70, 2000 - amends the Code concerning the annual leave for active deputies in the Sheriff's Department

GENERAL ORDINANCE NO. 71, 2000 - amends the Code concerning compensation of certain special deputies injured on duty

SPECIAL ORDINANCE NO. 6, 2000 - 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

GENERAL RESOLUTION NO. 4, 2000 - approves certain public purpose grants totaling \$750,000 for support of the arts

SPECIAL RESOLUTION NO. 50, 2000 - recognizes the public service of Eugene E. Jones, Jr., Executive Director, Indianapolis Housing Agency

SPECIAL RESOLUTION NO. 51, 2000 - recognizes The People's Burn Foundation of Indiana's Brave Hearts' Camp for burned children

SPECIAL RESOLUTION NO. 52, 2000 - 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)

SPECIAL RESOLUTION NO. 53, 2000 - 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)

SPECIAL RESOLUTION NO. 54, 2000 - 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)

SPECIAL RESOLUTION NO. 55, 2000 - 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)

SPECIAL RESOLUTION NO. 56, 2000 - 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

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 June 19, 2000. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 485, 2000. The proposal, sponsored by All Councillors, thanks the Indiana Pacers for an outstanding basketball season. Councillor Borst read the proposal and presented Donnie Walsh, president and general manager of the Indiana Pacers, with a copy of the document and a Council pin. Councillor Boyd stated that the Conesco Fieldhouse was well worth the investment to see the spirit and pride this year's finals brought to the City. He congratulated the Pacers and thanked them for helping to bring national attention to the City. Mr. Walsh thanked the Council for their support and this recognition, both for the team and for the investment into building a bigger arena. He stated that the City and State's support has helped the Pacers to build the best fieldhouse in the world. President SerVaas stated that the Pacers are citizens of the

whole community and belong to everyone, and have brought great pride, as well as economic growth to the City. Councillor Borst moved, seconded by Councillor Boyd, for adoption. Proposal No. 485, 2000 was adopted by a unanimous voice vote.

Proposal No. 485, 2000 was retitled SPECIAL RESOLUTION NO. 57, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 2000

A SPECIAL RESOLUTION congratulating and thanking the Indiana Pacers for an outstanding basketball season.

WHEREAS, In 49 states, it is just basketball, but this is Indiana where Hoosiers take their basketball quite seriously, and Indianapolis is the epicenter of it all; and

WHEREAS, the Indiana Pacers won their first ever Eastern Conference Championship; and

WHEREAS, the Indiana Pacers professional basketball team, playing in the brand new Conesco Fieldhouse, proved that they were a serious and determined National Basketball Association contender when they beat Milwaukee, Philadelphia and New York, but during the evening of Monday, June 19th, in the sixth game of the championship finals, the Los Angeles Lakers got in the way of a championship banner for Indianapolis; and

WHEREAS, along with international publicity, this team of Pacers brought excitement and pride to Indianapolis, with fans mounting fluttering flags on their car tops, buttons galore, posters everywhere around the city, Pacers shirts, face painting, non-violent celebrations, and the sixth finals game even drew 12,000 fans to Conesco Fieldhouse to watch their Pacers play 2,000 miles and two time zones away from home; now, therefore:

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

SECTION 1. The Indianapolis City-County Council congratulates and thanks the Indiana Pacers for their exciting 1999-2000 season and playoff games.

SECTION 2. The Council specifically recognizes Owners Herb and Mel Simon, President and General Manager Donnie Walsh, Coach Larry Bird, players Jonathan Bender, Travis Best, Austin Croshere, Dale Davis, Jeff Foster, Al Harrington, Mark Jackson, Derrick McKey, Reggie Miller, Chris Mullin, Sam Perkins, Jalen Rose, Rik Smits and Zan Tabak for their outstanding performance this year, and for the energizing spirit that they brought to the people of Indianapolis and Indiana.

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. 486, 2000. The proposal, sponsored by Councillor Talley, recognizes Lawrence North skilled sign language student Marsheana Lee-Ann Moore. Councillor Talley read the proposal and presented Ms. Moore with a copy of the document and a Council pin. Ms. Moore thanked the Council for the recognition and stated that she plans to continue to improve her skills to help others. Ms. Moore's mother, Vanessa Moore, thanked the Council for recognizing and encouraging her daughter's efforts. Councillor Talley moved, seconded by Councillor Conley, for adoption. Proposal No. 486, 2000 was adopted by a unanimous voice vote.

Proposal No. 486, 2000 was retitled SPECIAL RESOLUTION NO. 58, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 2000

A SPECIAL RESOLUTION recognizing Lawrence North skilled sign language student Marsheana Lee-Ann Moore.

WHEREAS, Marsheana Lee-Ann Moore is a mature and energetic 15-year-old Lawrence North High School student who has full use of her hearing and speaking facilities, but who already has considerable experience in working with the hearing impaired at church, and was an interpreter for a deaf child while she was in middle school; and

WHEREAS, Miss Moore attended six months of American Sign Language classes at Grace Apostolic Church, has completed three months of sign language instruction at the Indiana School for the Deaf, and has attended signing classes at Community Hospital North; and

WHEREAS, she is the daughter of Gentry and Vanessa Moore, and has plans to attend a week at Deaf Camp with all deaf campers, will visit the National Technology Institute for the Deaf, and is scheduled to visit Gallaudet University in Washington, D.C.—a university for students who are deaf or hearing impaired; and

WHEREAS, after high school, Miss Moore's long term goals are to attend college to become an optometrist and to continue being a sign language interpreter; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Marsheana Lee-Ann Moore for her interest and work in communications with people with hearing impairment who live in a silent world.

SECTION 2. The Council also acknowledges her supportive parents, family, and teachers; wishes her the best of success in her future studies; and selfishly hopes that this inspiring young lady will decide to settle in Indianapolis after her schooling.

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. 487, 2000. The proposal, sponsored by Councillors Moriarty Adams, Tilford, and Langsford, recognizes Eastside institution Harold's Steer-In Restaurant, and its retiring proprietor Harold Phillips. Councillor Moriarty Adams read the proposal and presented Mr. Phillips with a copy of the document and a Council pin. Councillors Langsford and Tilford stated that Harold's Steer-In has long been a tradition on their side of town and holds a lot of history for eastside residents. Mr. Phillips thanked the Council for the recognition and said that it took a lot of people to make the Steer-In so successful. Lisa Weist, new owner of the Steer-In, stated that she had her first job at the Steer-In when she was 14 years old and she thanked Harold and his wife Carol for sharing so much of themselves with the neighborhood. She said that Harold's was so much more than a great restaurant, but is also an extended family to many neighbors. Councillor Moriarty Adams moved, seconded by Councillors Langsford and Tilford, for adoption. Proposal No. 487, 2000 was adopted by a unanimous voice vote.

Proposal No. 487, 2000 was retitled SPECIAL RESOLUTION NO. 59, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 2000

A SPECIAL RESOLUTION recognizing Eastside institution Harold's Steer-In Restaurant, and its retiring proprietor Harold Phillips.

WHEREAS, Harold's Steer-in Restaurant on the corner of 10th and Emerson is more than just a place to eat, it is an Irvington-area legend; and

WHEREAS, the establishment began as a small drive-in restaurant called "Northway" in 1939 during the Great Depression, and was expanded in the 1960's and 1980's; and

WHEREAS, Harold Phillips took it over in 1964 and during those nearly four decades mayors, sheriffs, and congressmen all made obligatory visits, Republican and Democrat operatives plotted strategy on its tabletops, young lovers brought their dates to Harold's, families from Little Flower and other nearby churches did Sunday lunch together there, police officers were frequent patrons, and retirees met together and told and retold stories; and

WHEREAS, Mr. Phillips provided full and part-time jobs to 30-40 people including his family, and the restaurant developed a wide-ranging reputation for its tenderloins and its "Twin Steer" double decker hamburgers; and

WHEREAS, customers know to leave their plastic credit cards in their billfolds and purses, because that is Mr. Phillips' rule; 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 the Indianapolis City-County Council recognizes Harold Phillips of Harold's Steer-In Restaurant for providing more than just a place to eat, but also as place to socialize, bond, strategize, organize, recollect, and to be seen.

SECTION 2. The Council wishes Mr. Phillips well as he can now spend more retirement time gardening and growing beautiful roses as the baton is now passed on to Lisa Weist to continue this legendary Eastside institution for many years to come.

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

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

The President asked for consent to vote on Proposal Nos. 64 and 428, 2000 together. Both proposals are board appointments which passed unanimously out of their respective committees. Consent was given.

PROPOSAL NO. 64, 2000. The proposal, sponsored by Councillor Coonrod, appoints Larry Ness to the Audit Committee. PROPOSAL NO. 428, 2000. The proposal, sponsored by Councillor Coughenour, reappoints Dr. Robert S. Daly to the Air Pollution Control Board. Councillor Borst moved, seconded by Councillor Coonrod, for adoption. Proposal Nos. 64, 2000, as amended, and Proposal No. 428, 2000 were adopted by a unanimous voice vote.

Proposal No. 64, 2000 was retitled COUNCIL RESOLUTION NO. 64, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2000

A COUNCIL RESOLUTION appointing Larry Ness to the Audit Committee.

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

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

Larry Ness

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. 428, 2000 was retitled COUNCIL RESOLUTION NO. 65, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 2000

A COUNCIL RESOLUTION reappointing Dr. Robert S. Daly to the Air Pollution Control Board.

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

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

Dr. Robert S. Daly

SECTION 2. The appointment made by this resolution is for a term ending June 4, 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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 443, 2000. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which authorizes and approves the investment of public funds in money-market mutual funds by the County Treasurer and City Controller"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 444, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines that the lease of office and warehouse space at 5940 Michigan Road is needed for the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 445, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 241 of the Revised Code as it pertains to the make up of the divisions within the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 446, 2000. Introduced by Councillors Cockrum and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,196,000 in the 2000 Budget of the Department of Parks and Recreation (Park General Fund) to cover the increased operating costs for various parks and recreation programs and facilities through the end of 2000, financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 447, 2000. Introduced by Councillors Coonrod and Talley. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which requests to fund MECA operations in calendar year 2001 with County Option Income Tax revenue in the amount of \$2,750,000"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 448, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$75,000 in the 2000 Budget of the Metropolitan Emergency Communications Agency (MECA Fund) to meet mission requirements"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 449, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,371 in the 2000

Budget of Marion County Superior Court, Juvenile Division (Guardian Ad Litem Fund) to appropriate additional state grant funds for Child Advocates, Inc.”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 450, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves a transfer of \$225,000 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (County General Fund) to pay the cleaning services contract for the Juvenile Center and to purchase a telecommunications video”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 451, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$332,764 in the 2000 Budgets of the County Auditor and Marion Superior Court, Probation Division (County General Fund) to provide partial funding for 20 new probation officers, financed by fund balances”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 452, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$273,086 in the 2000 Budgets of the County Auditor and Marion Superior Court, Probation Division (Alcohol and Drug Services Fund) to provide partial funding for eight new probation officers, financed by fund balances”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 453, 2000. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: “A Proposal for a Police Special Service District Fiscal Ordinance which approves a increase of \$639,195 in the 2000 Budget of the Department of Public Safety, Police Division (Police Service District Fund and Federal Grants Fund) to fund various community policing initiatives, funded by federal and local grants”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 454, 2000. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: “A Proposal for a Police Special Service District Fiscal Ordinance which approves a transfer of \$2,334,050 in the 2000 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to fund police department overtime initiatives, supplies and materials, and fleet service fuel and maintenance”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 455, 2000. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: “A Proposal for a Fire Special Service District Fiscal Ordinance which approves a transfer of \$180,000 in the 2000 Budget of the Department of Public Safety, Fire Division (Fire Service District Fund) to cover the increased cost of fuel and maintenance charges through the end of 2000”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 456, 2000. Introduced by Councillors Dowden and Talley. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves transfers totaling \$31,600 in the 2000 Budget of the Department of Public Safety, in its divisions of Animal Control, Weights and Measures, and Emergency Management Planning (Consolidated County Fund) to meet current fuel cost projections and to reprioritize other current appropriations within the existing budget”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 457, 2000. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$301,700 in the 2000 Budget of Department of Public Works, Administration Division, Maintenance Operations Division, and Environmental Resources Management Division (Consolidated County Fund, Maintenance Operations General Fund, and Sanitation Liquid Waste Fund) to cover the increased cost of vehicle fuels for 2000"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 458, 2000. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which approves a transfer of \$133,300 in the 2000 Budget of the Department of Public Works, Contract Compliance Division and Solid Waste Management Division (Solid Waste Collection Service District Fund) to cover increased fuel costs"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 459, 2000. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc. for the purpose of providing radio reading programs for the blind and print-disabled in Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 460, 2000. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves and authorizes the cable franchise contract between the City and Digital Access Corporation of Indiana, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 461, 2000. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves and authorizes the cable franchise contract between the City and TOTALink of Indiana, LLC"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 462, 2000. Introduced by Councillors Coonrod and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$974,000 and a transfer of \$1,862,000 in the 2000 Budget of the Department of Administration, Fleet Services Division (Consolidated County Fund) to cover increased fuel costs, financed by a transfer and a reduction in fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 463, 2000. Introduced by Councillors Borst, Brents, and Soards. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which allows restaurant sidewalk café activity on Monument Circle"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 464, 2000. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at the Mary Bryan Elementary School and Stop 11 Road (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 465, 2000. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Meridian

School Road and Perry Meridian High School East Drive (District 25)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 466, 2000. Introduced by Councillor Brents. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal at 10th Street and Elmwood Street (District 16)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 467, 2000. Introduced by Councillor Soards. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a traffic signal at 86th Street and Moore Road (District 1)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 468, 2000. Introduced by Councillor Soards. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes multi-way stops in Trees II Subdivision (District 1)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 469, 2000. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for Richmond Hill Subdivision (District 24)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 470, 2000. Introduced by Councillors Massie and Coughenour. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Norton Avenue and State Avenue (Districts 20, 24)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 471, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes multi-way stops at Castle Lake Road and Clearwater Drive; and at Clearwater Drive and Springwater Drive (District 4)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 472, 2000. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Cordwood Lane, Riverwood Drive, and Waterwood Parkway (District 8)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 473, 2000. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at 67th Street and Ferguson Street (District 2)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 474, 2000. Introduced by Councillor Borst. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Concord Street and Epler Avenue (District 25)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 475, 2000. Introduced by Councillor Borst. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Capitol

Avenue and Gimber Street (District 25)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 476, 2000. Introduced by Councillors Soards and Bainbridge. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes parking restrictions on Eagle Creek Parkway between 34th Street and 46th Street (Districts 1, 8)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 477, 2000. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a weight limit restriction on Glen Arm Road between 10th Street and 11th Street (District 18)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 478, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a weight limit restriction on Milhouse Road between State Road 67 and Decatur Boulevard (District 19)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 479, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a weight limit restriction on Gatwick Drive between State Road 67 and Decatur Boulevard (District 19)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 480, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a weight limit restriction on Lynhurst Drive from Mooresville Road to dead end (District 19)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 481, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints James Art to the City-County Administrative Board”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 482, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Rebecca Lightle to the Equal Opportunity Advisory Board”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 483, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Tom Burns to the Indianapolis-Marion County Building Authority Board of Trustees”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 484, 2000. Introduced by Councillor Boyd. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Aaron E. Haith to the Public Housing Board”; and the President referred it to the Metropolitan Development Committee.

Councillor Borst moved, seconded by Councillor Soards, to suspend the rules and take action on Proposal No. 463, 2000 at the end of the agenda. He stated that this proposal corrects an oversight that was made and is sponsored by him, Councillor Brents, and Councillor Soards. He stated that there is a time factor involved with the passage of this proposal and he would like to

see action taken on it this evening. The rules were suspended by a unanimous voice vote, and Proposal No. 463, 2000 was placed at the end of the agenda for action by the Council.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 488, 2000, PROPOSAL NO. 489, 2000, PROPOSAL NOS. 490-495, 2000, and PROPOSAL NOS. 496-504, 2000. Introduced by Councillor Hinkle. Proposal No. 488, 2000, Proposal No. 489, 2000, Proposal Nos. 490-495, 2000 and Proposal Nos. 496-504, 2000 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 6 and 7, 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. 124-140, 2000, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 124, 2000.

99-Z-50

7259 NEW AUGUSTA ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2

SEXTON DEVELOPMENT COMPANY, LLC., by James B. Burroughs, requests a rezoning of 15.97 acres, being in the D-6II District, to the D-5II classification to provide for single-family and two- family residential development.

REZONING ORDINANCE NO. 125, 2000.

2000-ZON-815

1602, 1620 EAST EDGEWOOD DRIVE; 5912 SOUTH MADISON AVENUE (approximate addresses), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

AMERICAN PARTNERS, L.P., by J. Murray Clark, requests a rezoning of 2.78 acres, being in the D-1 and C-1 Districts, to the C-3 classification to provide for the construction and operation of a drug store.

REZONING ORDINANCE NO. 126, 2000.

2000-ZON-018 (2000-DP-005)

5786 MOLLER ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

DARRELL BROSIUS, by Thomas Michael Quinn, requests a rezoning of 3.99 acres, being in the D-A District, to the D-P classification to provide for 34 dwelling units in nine buildings.

REZONING ORDINANCE NO. 127, 2000.

2000-ZON-024

8011 FALL CREEK ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

WATERWAY HOLDINGS, by Thomas Michael Quinn, requests a rezoning of 15.23 acres, being in the D-S (FF) (FW) District, to the SU-1 (FF) (FW) classification to provide for religious uses.

REZONING ORDINANCE NO. 128, 2000.

2000-ZON-056

4101 SOUTH HARDING STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

KEITH K. and JANE A. ROBERTS request a rezoning of 6.1 acres, being in the D-3 District, to the I-3-S classification.

REZONING ORDINANCE NO. 129, 2000.

2000-ZON-068 (2000-DP-013)

6520 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.

HILLS COMMUNITIES, INC., by Philip A. Nicely, requests a rezoning of 34.244 acres, being in the SU-34 and D-A Districts, to the D-P classification to provide for the development of six multi-family residential buildings, containing a maximum of 180 condominium units (5.26 units per acre).

REZONING ORDINANCE NO. 130, 2000.

2000-ZON-075 (2000-DP-014)

2814 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

C. P. MORGAN COMMUNITIES, L. P., by Brian Tuohy, requests a rezoning of 1.28 acres, being in the D-A District, to the D-P classification to provide for five single-family residential units, in conjunction with property subject to the development plan associated with 2000-ZON-008 (2000-DP-003), creating a total of 240 residential units (235 permitted by 2000-ZON-008/2000-DP-003).

REZONING ORDINANCE NO. 131, 2000.

2000-ZON-818

8859 EAST RAYMOND STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

JOHN W. MOODY and A. ELAINE MOODY request a rezoning of one acre being in the SU-1 District, to the D-S classification to provide for construction of one single-family dwelling with a two car attached garage.

REZONING ORDINANCE NO. 132, 2000.

2000-ZON-023 (2000-DP-006)

8702 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

PROJECTS PLUS, by Thomas Michael Quinn, requests a rezoning of 110.7 acres, being in the D-A District, to the D-P classification to provide for 233 single-family dwellings and 45 two-family dwellings for a total of 323 dwelling units.

REZONING ORDINANCE NO. 133, 2000.

2000-ZON-040

3303 SOUTH ARLINGTON AVENUE (Approximate Address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

JOE CLINE requests a rezoning of 10.24 acres, being in the D-A District, to the D-6II classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 134, 2000.

2000-ZON-060

6855 EAST 10th STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

BJ DEVELOPMENT, LLC requests a rezoning of 1.85 acres, being in the D-3 District, to the C-1 classification to provide for a residential care facility.

REZONING ORDINANCE NO. 135, 2000.

2000-ZON-061

1540 WEST OHIO STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 17

WEST SIDE PENTECOSTAL ASSEMBLY OF GOD requests a rezoning of 1.9 acres, being in the D-8 (RC) District, to the SU-1 (RC) classification to provide for an existing church.

REZONING ORDINANCE NO. 136, 2000.

2000-ZON-062

8605 and 8617 SOUTH U.S. 31 (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

VERNON R. and KAREN S. HEBER request a rezoning of 0.9 acre, being in the D-3 District, to the C-1 classification.

REZONING ORDINANCE NO. 137, 2000.

2000-ZON-063

2405 NATIONAL AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.

JENNY S. REIFEIS, by Michael J. Kias, requests a rezoning of 3.636 acres, being in the C-S District, to the C-S classification to provide for the development of an indoor tennis court and club facility.

REZONING ORDINANCE NO. 138, 2000.

2000-ZON-069

5885 CRITTENDEN AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7.

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS, by James L. Tuohy, requests a rezoning of 10.6 acres, being in the D-5 District, to the SU-2 classification to legally establish an existing high school and related athletic facilities.

REZONING ORDINANCE NO. 139, 2000.

2000-ZON-825

2515-2519 EAST 38th STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11.

GPD ASSOCIATES requests a rezoning of 0.69 acre, being in the D-5 District, to the C-3 classification to legally establish a restaurant and to provide for the development of a drive-through restaurant.

REZONING ORDINANCE NO. 140, 2000.

2000-ZON-826

22 WEST 33rd STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

JOHN W. BAILEY, by Donald R. Russell, requests a rezoning of 0.344 acre, being in the D-9 District, to the HD-2 classification to provide for a parking lot associated with a dentist office.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 322, 399-403, 406, 407, and 409-413, 2000 on June 21, 2000 and Proposal No. 361, 2000 on May 24, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 322, 2000. The proposal approves an increase of \$59,450 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for the start-up costs of the Community Court, financed by transfers of U.S. Department of Justice funds from the County Auditor, Clerk of the Circuit Court, Marion County Public Defender Agency, and the Marion Court Superior Court. PROPOSAL NO. 361, 2000. The proposal, sponsored by Councillor Borst, approves an increase of \$100,000 in the 2000 Budgets of the County Auditor and Forensic Services Agency (County General Fund) to pay part of the salary of an additional chemist for six months and to purchase additional supplies/chemicals and services, financed by fund balances. PROPOSAL NO. 399, 2000. The proposal 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. PROPOSAL NO. 400, 2000. The proposal 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). PROPOSAL NO. 401, 2000. The proposal 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. PROPOSAL NO. 402, 2000. The proposal 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. PROPOSAL NO. 403, 2000. The proposal 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. PROPOSAL NO. 406, 2000. The proposal 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. PROPOSAL NO. 407, 2000. The proposal 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. PROPOSAL NO. 409, 2000. The proposal 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. PROPOSAL NO. 410, 2000. The proposal 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. PROPOSAL NO. 411, 2000. The proposal 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. PROPOSAL NO. 412, 2000. The proposal 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. PROPOSAL NO. 413, 2000. The proposal approves an increase of \$30,400 in the 2000 Budgets of the County Auditor and Community Corrections (Pre-Trial Release Fund) to increase the salaries of two home detention officers and to provide for an additional home detention officer to supervise the Pre-Trial Release Home Detention Program, financed by fund balances. 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 8:14 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal Nos. 322, 361, 399-403, 406, 407, and 409-412, 2000 and Proposal No. 413, 2000, as amended, were adopted on the following roll call vote; viz:

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

Proposal No. 322, 2000 was retitled FISCAL ORDINANCE NO. 62, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional Fifty-nine Thousand Four Hundred Fifty Dollars (\$59,450) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney, and reducing certain other appropriations for the County Auditor, Clerk of the Circuit Court, Marion

County Public Defender Agency, and Marion County Superior Court 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,d,u,v,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 Prosecuting Attorney to provide for the start-up costs of the Community Court.

SECTION 2. The sum of Fifty Nine Thousand Four Hundred Fifty Dollars (\$59,450) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	400
3. Other Services and Charges	1,558
4. Capital Outlay	<u>57,492</u>
TOTAL INCREASE	59,450

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-Fringes	12,450
 <u>CLERK OF THE CIRCUIT COURT</u>	
1. Personal Services	6,800
 <u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	14,400
 <u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	<u>25,800</u>
TOTAL DECREASE	59,450

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

Proposal No. 361, 2000 was retitled FISCAL ORDINANCE NO. 63, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the County General Fund for purposes of the County Auditor and Forensic Services Agency 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(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 hire an additional chemist for six months and to purchase additional supplies/chemicals and services.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services-Fringes	6,000
 <u>FORENSIC SERVICES AGENCY</u>	
1. Personal Services	24,000
2. Supplies	50,000
3. Other Services and Charges	20,000
TOTAL INCREASE	100,000

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

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

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

Proposal No. 399, 2000 was retitled FISCAL ORDINANCE NO. 64, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Twenty-seven Thousand Seven Hundred Ninety-three Dollars (\$27,793) in the State and Federal Grants Fund for purposes of the County Sheriff 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(y) 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 Sheriff to be reimbursed for three officers assigned to the Indianapolis Metropolitan Gang Safe Street Task Force.

SECTION 2. The sum of Twenty-seven Thousand Seven Hundred Ninety-three Dollars (\$27,793) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>27,793</u>
TOTAL INCREASE	27,793

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>27,793</u>
TOTAL REDUCTION	27,793

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or 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. 400, 2000 was retitled FISCAL ORDINANCE NO. 65, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Three Thousand Dollars (\$3,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to amend the Center of Hope Grant by increasing the federal award by \$3,000 for contractual services.

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

SECTION 3. The following additional appropriation is hereby approved:

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

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	3,000
TOTAL REDUCTION	3,000

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. 401, 2000 was retitled FISCAL ORDINANCE NO. 66, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Two Hundred Fifty Thousand (\$250,000) in the State and Federal Grants Fund for purposes of the County Auditor and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) 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 Prosecuting Attorney to continue second year funding for a comprehensive seat belt program in Marion County.

SECTION 2. The sum of Two Hundred Fifty Thousand (\$250,000) 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 AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	3,360
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	44,440
2. Supplies	750
3. Other Services and Charges	201,450
TOTAL INCREASE	250,000

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>250,000</u>
TOTAL REDUCTION	250,000

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. 402, 2000 was retitled FISCAL ORDINANCE NO. 67, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Fifty-four Thousand Three Hundred Thirty Dollars (\$54,330) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to fund a program to increase seat belt usage.

SECTION 2. The sum of Fifty-four Thousand Three Hundred Thirty Dollars (\$54,330) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	16,139
3. Other Services and Charges	38,191
TOTAL INCREASE	54,330

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>54,330</u>
TOTAL REDUCTION	54,330

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. 403, 2000 was retitled FISCAL ORDINANCE NO. 68, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Sixty-nine Thousand Five Hundred Twenty Dollars (\$169,520)) in the State and Federal Grants Fund for purposes of the County Auditor and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) 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 Prosecuting Attorney to fund a comprehensive traffic safety program focusing on impaired driving and seat belt usage.

SECTION 2. The sum of One Hundred Sixty-nine Thousand Five Hundred Twenty Dollars (\$169,520) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	4,238
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	57,713
3. Other Services and Charges	107,569
TOTAL INCREASE	169,520

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	169,520
TOTAL REDUCTION	169,520

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. 406, 2000 was retitled FISCAL ORDINANCE NO. 69, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 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 Dollars (\$130,000) in the Supplemental Adult Probation Fees Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay upfront rent charge for the Community Court.

SECTION 2. The sum of One Hundred Thirty Thousand Dollars (\$130,000) 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>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
3. Other Services and Charges	130,000
TOTAL INCREASE	130,000

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

	<u>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
Unappropriated and Unencumbered	
Supplemental Adult Probation Fee Fund	130,000
TOTAL REDUCTION	130,000

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

Proposal No. 407, 2000 was retitled FISCAL ORDINANCE NO. 70, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Three Hundred Forty-seven Thousand Dollars (\$347,000) in the Supplemental Adult Probation Fees Fund for purposes of the County Auditor and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Superior Court to set up a drug testing facility for use by Probation, Pre-Trial Release and Drug Treatment Court.

SECTION 2. The sum of Three Hundred Forty-seven Thousand Dollars (\$347,000) 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>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
I. Personal Services-fringe	20,000
<u>MARION COUNTY SUPERIOR COURT</u>	
I. Personal Services	80,000
2. Supplies	100,000
3. Other Services and Charges	125,000
4. Capital Outlay	<u>22,000</u>
TOTAL INCREASE	347,000

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

	<u>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
Unappropriated and Unencumbered	
Supplement Adult Probation Fee Fund	347,000
TOTAL REDUCTION	347,000

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

Proposal No. 409, 2000 was retitled FISCAL ORDINANCE NO. 71, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Twenty-seven Thousand Four Hundred Thirty-seven Dollars (\$27,437) in the Supplemental Adult Probation Fees Fund for purposes of the County Auditor and the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b.cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Marion County Superior Court to increase their 2000 Budgets by 2.5% in Personal Services in order to correct an oversight in the 2000 budget preparation.

SECTION 2. The sum of Twenty-seven Thousand Four Hundred Thirty-seven Dollars (\$27,437) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
1. Personal Services-fringes	5,575
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	21,862
TOTAL INCREASE	27,437

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

	<u>SUPPLEMENTAL ADULT PROBATION FEE FUND</u>
Unappropriated and Unencumbered	
Supplement Adult Probation Fee Fund	27,437
TOTAL REDUCTION	27,437

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

Proposal No. 410, 2000 was retitled FISCAL ORDINANCE NO. 72, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Two Hundred Two Thousand Ninety-three Dollars (\$202,093) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections 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,z) 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 Community Corrections to fund a Juvenile Court Intensive Probation Services program for fiscal year 2000-2001.

SECTION 2. The sum of Two Hundred Two Thousand Ninety-three Dollars (\$202,093) 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>
I. Personal Services-fringes	38,431
<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	153,724
3. Other Services and Charges	<u>9,938</u>
TOTAL INCREASE	<u>202,093</u>

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>202,093</u>
TOTAL REDUCTION	<u>202,093</u>

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

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

Proposal No. 411, 2000 was retitled FISCAL ORDINANCE NO. 73, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Million Six Hundred Twelve Thousand Seventy-nine Dollars (\$1,612,079) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections 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,z) 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 Community Corrections to cover operational expenses for fiscal year 2000-2001.

SECTION 2. The sum of One Million Six Hundred Twelve Thousand Seventy-nine Dollars (\$1,612,079) 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	133,488

<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	428,211
2. Supplies	20,059
3. Other Services and Charges	<u>1,030,321</u>
TOTAL INCREASE	1,612,079

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>1,612,079</u>
TOTAL REDUCTION	1,612,079

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. 412, 2000 was retitled FISCAL ORDINANCE NO. 74, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Four Hundred Sixty-one Thousand Eight Hundred Forty-nine Dollars (\$461,849) in the Home Detention User Fee Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee 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.z) 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 Community Corrections to appropriate Home Detention User Fee Funds for the first half of fiscal year 2000-2001 to be used to fund positions, home detention equipment, and office supplies.

SECTION 2. The sum of Four Hundred Sixty-one Thousand Eight Hundred Forty-nine Dollars (\$461,849) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services-fringes	67,949

<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	209,290
2. Supplies	12,500
3. Other Services and Charges	154,610
4. Capital Outlay	<u>17,500</u>
TOTAL INCREASE	461,849

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	461,849
TOTAL REDUCTION	461,849

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

Proposal No. 413, 2000, as amended, was retitled FISCAL ORDINANCE NO. 75, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Thirty-seven Thousand Two Hundred Forty-nine Dollars (\$37,249) in the Pre-Trial Release Fund for purposes of the County Auditor and Community Corrections 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,z) 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 Community Corrections to increase the salaries of two home detention officers and to provide for an additional home detention officer to supervise the Pre-Trial Release Home Detention Program.

SECTION 2. The sum of Thirty-seven Thousand Two Hundred Forty-nine Dollars (\$37,249) 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	8,749
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	<u>28,500</u>
TOTAL INCREASE	37,249

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	37,249
TOTAL REDUCTION	37,249

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

PROPOSAL NO. 408, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 408, 2000 on June 21, 2000. The proposal 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. By a 5-4 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 408, 2000 was adopted on the following roll call vote; viz:

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

Proposal No. 408, 2000 was retitled FISCAL ORDINANCE NO. 76, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Thousand Eight Hundred Forty-two Dollars (\$100,842) in the State and Federal Grants Fund for purposes of the County Auditor and Marion County Superior Court 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,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 County Auditor and Marion County Superior Court 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.

SECTION 2. The sum of One Hundred Thousand Eight Hundred Forty-two Dollars (\$100,842) 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	18,750
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	75,000
2. Supplies	1,000
3. Other Services and Charges	<u>6,092</u>
TOTAL INCREASE	100,842

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>100,842</u>
TOTAL REDUCTION	100,842

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. 398, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 398, 2000 on June 26, 2000. The proposal, sponsored by Councillors Hinkle and Horseman, 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. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider stated that he opposed this proposal in the Committee hearing because it deals with almost \$5 million in federal taxpayers' money and no supporting documents of the programs these dollars were going into were offered at that hearing. He stated that the Chairman requested that more detailed information be forthcoming before this hearing before the full Council, but he just received this information on Saturday morning, and has not had sufficient time to review the information. He said that he still has reservations and cannot vote in favor of this proposal this evening. He moved to return Proposal No. 398, 2000 to Committee for further review.

Councillor Bradford seconded the motion to return Proposal No. 398, 2000 to Committee and stated that he received this information only this evening and he has the same reservations Councillor Schneider does.

Councillor Short said that he is against the motion to return the proposal to Committee. He stated that while he understands the reasons behind Councillor Schneider's motion, the majority of these dollars are carryover funds for on-going programs that have been around for a very long time and the administration has a very strict monitoring process for these funds.

Councillor Nytes stated that she also does not want to see this proposal returned to Committee. She said that because of the portion of the City she represents, she is very familiar with many of these programs and she knows the benefits these programs provide to her constituents. She said that this proposal is simply a housekeeping matter and there is nothing new or inconsistent with these funds.

Councillor Hinkle stated that he understands Councillor Schneider's concerns, but there are time sensitive issues concerning these funds. He said that he spoke with the director of the Department of Metropolitan Development about making sure information is dispersed in a more timely fashion in the future, and he is sure this will not be an on-going problem. He added that some of these programs are new, but the majority of them are on-going programs that are in line with 2000 Action Plan. He asked fellow Councillors to oppose the motion to return the proposal to Committee.

Councillor Bainbridge asked what the negative results will be regarding time-sensitive projects. Councillor Hinkle said that some grants may be lost, because if these monies are not reallocated by a certain time, which he believes to be August 1, 2000, then the funds will revert back to the federal government, who will in turn award them to other cities that will use them.

Councillor Borst stated that he came this evening prepared to vote in favor of returning this proposal to Committee, but that he has talked to the director and he believes in giving people a break when honest mistakes are made. He said that the Council is working with a new administration, and he believes that future information will be dispersed in a more timely fashion.

Councillor Bradford asked which projects are time sensitive. Ms. Coleman stated that she will contend that all of these funds are time-sensitive. She said that the I-70/Keystone project, the Unsafe Buildings Program, and the Home Ownership projects are the most critical time-wise.

Councillor Schneider asked which funds are time-sensitive in the respect that the grant dollars may be in jeopardy of being revoked. Ms. Coleman stated that she is not sure of the date that these dollars are reverted to the federal government, and she cannot say for sure which projects would be affected by a reversion of funds.

The motion to return to Committee failed by the following roll call vote; viz.

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

Councillor Horseman asked if all supporting documentation for such fiscals are dispersed to all Councillors or just to those serving on the Committees to which the proposals are assigned. President SerVaas stated that sometimes supporting documentation for projects or funds being requested in great amounts are dispersed to all members, but generally, the supporting documents are only distributed to Committee members to which the fiscal is assigned.

Councillor Nytes stated that she has a great amount of information come through her mailbox on a weekly basis, and that she trusts and respects the Committee process. She believes members should trust the Committee members who have interest in those particular areas to review this documentation and make an educated recommendation.

Councillor Hinkle stated that in defense of Councillor Schneider, he does serve on the Metropolitan Development Committee, and the information was asked to be provided by July 5, 2000, and the Committee members should have had before Saturday to review.

Councillor Borst stated that many agencies are very good at providing background information prior to Committee hearings, such as with the Public Safety and Criminal Justice Committee, in which 14 of the 15 fiscals before the committee had extensive background information provided.

President SerVaas called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Nytes, for adoption. Proposal No. 398, 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, Langsford, Massie, Moriarty Adams, Nytes, SerVaas,
Short, Smith, Soards, Tilford
4 NAYS: Bradford, Coonrod, Dowden, Schneider
1 NOT VOTING: Talley
1 ABSENT: Sanders*

Proposal No. 398, 2000 was retitled FISCAL ORDINANCE NO. 77, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) transferring and appropriating an additional Four Million Nine Hundred Thirty Eight Thousand Two Hundred Seventy Dollars (\$4,938,270) in the Federal Grants, State Grants and City Cumulative Capital Improvement Funds for purposes of the Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Federal Grants and State Grants Funds and transferring funds between characters in the City Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for administering state and federal grants which provide affordable and supportive housing opportunities, brownfield assessment and remediation, ozone awareness programs and economic development.

SECTION 2. The sum of Four Million Nine Hundred Thirty Eight Thousand Two Hundred Seventy Dollars (\$4,938,270) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CITY CUMULATIVE CAPITAL</u>
<u>COMMUNITY DEV. AND FINANCIAL SERVICES DIVISION</u>	<u>DEVELOPMENT FUND</u>
3. Other Services and Charges	750,000
TOTAL INCREASE	750,000

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>STATE GRANTS FUND</u>
<u>COMMUNITY DEV. AND FINANCIAL SERVICES DIVISION</u>	
3. Other Services and Charges	189,984
TOTAL INCREASE	189,984

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
<u>COMMUNITY DEV. AND FINANCIAL SERVICES DIVISION</u>	
3. Other Services and Charges	2,782,000
4. Capital Outlay	1,093,286
TOTAL INCREASE	3,875,286

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
<u>PLANNING DIVISION</u>	
3. Other Services and Charges	123,000
TOTAL INCREASE	123,000

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

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CITY CUMULATIVE CAPITAL</u>
<u>COMMUNITY DEV. AND FINANCIAL SERVICES DIVISION</u>	<u>DEVELOPMENT FUND</u>
4. Capital Outlay	750,000
TOTAL REDUCTION	750,000

<u>FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered Federal Grants Fund	3,998,286
TOTAL REDUCTION	3,998,286

<u>STATE GRANTS FUND</u>	
Unappropriated and Unencumbered State Grants Fund	189,984
TOTAL REDUCTION	189,984

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. 416, 2000. Councillor Smith reported that the Capital Asset Management Committee heard Proposal No. 416, 2000 on June 28, 2000. The proposal 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Black asked how many miles of repairs \$15 million will cover. Dave Cleaver, Assistant Administrator for the Department of Capital Asset Management, stated that it takes approximately \$250,000 per mile of repair, so these funds would cover approximately 60 miles of urban sidewalk repair.

President SerVaas called for public testimony at 8:54 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Coughenour, for adoption. Proposal No. 416, 2000 was adopted on the following roll call vote; viz:

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

Proposal No. 416, 2000 was retitled FISCAL ORDINANCE NO. 78, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Six Million Three Hundred Thirteen Thousand Two Hundred Forty Dollars (\$6,313,240) in the Transportation General Fund for purposes of the Department of Capital Asset Management 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 to undertake various transportation improvement projects, road resurfacing and curb and sidewalk repairs throughout Marion County.

SECTION 2. The sum of additional Six Million Three Hundred Thirteen Thousand Two Hundred Forty Dollars (\$6,313,240) 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>TRANSPORTATION GENERAL FUND</u>
<u>ASSET MANAGEMENT DIVISION</u>	
4. Capital Outlay	6,313,240
TOTAL INCREASE	6,313,240

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	6,313,240
TOTAL REDUCTION	6,313,240

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

PROPOSAL NO. 417, 2000. Councillor Smith reported that the Capital Asset Management Committee heard Proposal No. 417, 2000 on June 28, 2000. The proposal approves an increase of \$900,000 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President SerVaas called for public testimony at 8:56 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Coughenour, for adoption. Proposal No. 417, 2000 was adopted on the following roll call vote; viz:

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

Proposal No. 417, 2000 was retitled FISCAL ORDINANCE NO. 79, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Nine Hundred Thousand Dollars (\$900,000) in the Sanitation Liquid Waste Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balances in that 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, Asset Management Division, to make necessary repairs and improvements at the Belmont advanced wastewater treatment facility.

SECTION 2. The sum of Nine Hundred Thousand Dollars (\$900,000) 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>SANITATION LIQUID WASTE FUND</u>
4. Capital Outlay	900,000
TOTAL INCREASE	900,000

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

	<u>SANITATION LIQUID WASTE FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	<u>900,000</u>
TOTAL REDUCTION	<u>900,000</u>

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

PROPOSAL NO. 442, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 442, 2000 on June 26, 2000. The proposal is a special ordinance for Web Industries, Inc. in an amount not to exceed \$3,395,000 to be used for the new construction of a 60,000 sq. ft. manufacturing plant, 24 ft. clear height, with an 8 ft. high masonry block wall/architectural steel panel above, plus 5,000 sq. ft. office space of masonry construction, for a total of 65,000 square feet located on 7.4 acres in Pike Township on 54th Street (District 2). By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Chairman Hinkle moved the following technical amendment:

Mr. President:

I move to amend Proposal No. 442, 2000, specifically Section 3, the second sentence, by deleting the words "Loan Agreement" and inserting in lieu thereof the word "Bonds."

Councillor Black seconded the amendment, and the proposal was amended by a unanimous voice vote.

Councillor Conley asked the reason for the one abstention in Committee. Councillor Horseman stated that she abstained due the appearance of a conflict of interest with her employer, and that she will abstain from voting on the matter this evening, as well.

President SerVaas called for public testimony at 9:01 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Black, for adoption. Proposal No. 442, 2000, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 442, 2000, as amended, was retitled SPECIAL ORDINANCE NO. 7, 2000, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 2000

A SPECIAL ORDINANCE authorizing the City of Indianapolis to execute a Loan Agreement with GE Capital Finance, Inc. and Web Industries, Inc. and approving and authorizing other actions in respect thereto.

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

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

WHEREAS, a representative of Web Industries, Inc. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the relocation and construction of a manufacturing facility and the acquisition of machinery, equipment and other fixtures to be located on a 7.2 acre parcel of land on West 54th Street (the "Project"); and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, relocation and equipping of the Project by entering into a Loan Agreement among GE Capital Finance, Inc. (the "Lender"), the Issuer, and the Company (the "Loan Agreement"), pursuant to which the Lender will loan a principal amount not to exceed \$3,395,000 to the Issuer and the Issuer will lend such amount to the Company (the "Loan"); and

WHEREAS, the Loan Agreement provides that the proceeds of the Loan shall be held in escrow pursuant to an Escrow Agreement among the Lender, the Issuer, and the Company (the "Escrow Agreement") and released pursuant to the terms thereof; and

WHEREAS, pursuant to the Loan Agreement, the Issuer agrees to repay the Lender and the Company agrees to make payments to the Issuer sufficient to pay the principal and interest on the Loan as the same become due and payable under the terms of the Loan Agreement; and

WHEREAS, the Loan Agreement evidences the indebtedness of the Issuer to the Lender, and therefore the Loan Agreement constitutes a "bond" of the Issuer, as such term is defined in Indiana Code 36-1-2-2 and the execution and delivery of the Loan Agreement by the Issuer constitutes the issuance of bonds of the Issuer pursuant to the Act; and

WHEREAS, substantially final forms of the Loan Agreement and the Escrow Agreement (hereinafter referred to collectively as the "Financing Documents") have been presented at this meeting and reviewed by the Council; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on this date pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, advised the Issuer of the results of such hearing and adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

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

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Financing Documents and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; and now, therefore:

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

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

SECTION 2. The forms of the Financing Documents presented herewith, including those terms specified by Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10), are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall borrow through the execution and delivery of the Loan Agreement a principal amount not to exceed \$3,395,000 for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which loan will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 5. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the Lender, or its successor under the Loan Agreement, and after the execution and delivery of the Loan Agreement, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 6. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 239, 2000. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 239, 2000 on May 9 and June 19, 2000. The proposal, sponsored by Councillor Boyd, restricts access to amusement machines and/or video games which are deemed harmful to minors and children, and to prohibit such amusement machines and/or video games on public property. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Massie stated that there were serious concerns about the original proposal withstanding Constitutional muster and standing up against lawsuits. A sub-committee was formed to address these legal issues, and the amended version of the proposal is much more acceptable to all parties involved in the discussions. Councillor Boyd thanked all those involved in the re-writing of the proposal to give it a better legal standing and encouraged fellow Councillors to support the proposal. Councillor Soards stated that he was involved in the drafting of the new proposal and feels it is a compromise many can live with.

Councillor Conley stated that even if the new proposal garners lawsuits, he believes the Council can defend itself, and he believes it is a stand the City needs to take.

Councillor Borst stated that he will support this proposal half-heartedly because he believes that although the message of the proposal is correct, he is not sure this is the way to get results. He believes the educational aspect of the proposal is good, but is not sure the proposal will actually do anything.

President SerVaas referred to the time of prohibition and stated that children were restrained from going into taverns, and there are bans on minors purchasing tobacco products in retail

establishments. He said that while enforcement may be difficult, he believes this is a step in the right direction to combatting a growing problem. He said that he does not know of another initiative that has had so much support from so many community organizations.

Councillor Massie moved, seconded by Councillor Boyd, for adoption. Proposal No. 239, 2000, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 239, 2000, as amended, was retitled GENERAL ORDINANCE NO. 72, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 2000

PROPOSAL FOR A GENERAL ORDINANCE to regulate the conduct of persons who own or operate places of business which contain amusement machines and/or video games; in such a manner that restricts and prohibits access to amusement machines and/or video games which are deemed harmful to minors, and to prohibit such amusement machines and/or video games on public property.

WHEREAS, Marion County and the City of Indianapolis have compelling interests in protecting the well-being of minors, in protecting parents' authority to shield their minor children from influences that the parents find inappropriate or offensive, and in reducing juvenile crime; and

WHEREAS, our courts have recognized that minors are affected by and may be protected from patently offensive sex-related material; and

WHEREAS, recent academic literature corroborates the finding of earlier studies that violent video games produce psychological effects in minor children and that prolonged exposure to violent video games increases the likelihood of aggression in minor children (see Craig A. Anderson & Karen E. Dill, Video Games and Aggressive Thoughts, Feelings, and Behavior in the Laboratory and in Life, 78 J. of Personality and Soc. Psychol. 772 (2000) (summarizing past research and noting that the "positive association between violent video games and aggressive personality is consistent with a developmental model in which extensive exposure to violent video games...contributes to the creation of an aggressive personality" and concluding that "the present data indicate that concern about the potentially deleterious consequences of playing violent video games is not misplaced"); and

WHEREAS, growing evidence of the harmful effects of violent video games has led Congress to investigate the impact of these games on minor children (see Hearing on "The Impact of Interactive Violence on Children," United States Senate Comm. on Commerce, Science & Transportation, 106th Cong. (March 21, 2000) ("Hearing"); see also Majority Staff of Senate Comm. on the Judiciary, 106th Cong., Children, Violence and the Media: A Report for Parents and Policy Makers (Sept. 14, 1999)), and has led President Clinton to ask the Federal Trade Commission to investigate the marketing of violent video games to minor children (see Letter from William J. Clinton, President, to Janet Reno, Attorney General of the United States, and Robert Pitofsky, Chairman, Federal Trade Commission (June 1, 1999)); and

WHEREAS, producers and retailers of video games agree that "the best control is parental control" (see Statement of the Video Software Dealers Association in conjunction with Hearing, above); and

WHEREAS, testimony before Congress indicates that fourth through eighth graders report spending an average of from half an hour to two-and-a-half hours playing video games in arcades each week (see Hearing, above, Testimony of Jeanne B. Funk, Ph.D., clinical child psychologist); and

WHEREAS, parents are less able in public places than in the home to control the level of violence and sexual content to which their minor children are exposed; now, therefore,

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

SECTION 1. Section 831-1 of the "Revised Code of the Consolidated City and County," regarding definitions, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 831-1. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Accompanied by for purposes of subsections 831-5(h), 831-5(j), 831-5(j), 831-6(f), 831-6(g), and 831-6(h), means that the parent, guardian, or custodian of the minor either:

- (1) Is within five feet of the minor at all times while the minor is operating the amusement machine; or,
- (2) Has appeared in person with the minor at the amusement location or place of business containing amusement machines on that day and has given his or her permission for the exhibitor or registrant or an employee of the exhibitor or registrant to place on the back of the minor's hand or wrist a clearly visible, non-transferable designation such as a stamp or wrist band signifying that the parent, guardian, or custodian has consented to allow the minor to operate amusement machines that are harmful to minors.

Amusement location means any public room or area in the city which contains five (5) or more amusement machines; however, amusement locations shall not include premises which are licensed (as defined in IC 7.1-1-3-20) for the sale of alcoholic beverages and where entry is limited to persons who are eighteen (18) years of age or older.

Amusement machine means a currency-operated machine or device, including a machine or device operated by tokens, cards, points, or other currency-like means, offered to the public as a game or amusement, the object of which is to achieve a high or low score based on the skill of the player, including, but not limited to, video games, pool or billiard tables and pinball machines. Such a machine or device designed and used exclusively for the vending of merchandise of a tangible nature shall not be deemed an amusement machine.

Exhibitor means a person who owns or operates a place of business in the city where four (4) or fewer amusement machines are located; however, the provisions of this chapter shall not apply to an exhibitor's place of business which is licensed (as defined in IC 7.1-1-3-20) for the sale of alcoholic beverages and where entry is limited to persons who are eighteen (18) years of age or older.

Graphic violence means an amusement machine's visual depiction or representation of realistic serious injury to a human or human-like being where such serious injury includes amputation, decapitation, dismemberment, bloodshed, mutilation, maiming or disfigurement.

Harmful to minors means an amusement machine that predominantly appeals to minors' morbid interest in violence or minors' prurient interest in sex, is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for persons under the age of eighteen (18) years, lacks serious literary, artistic, political or scientific value as a whole for persons under the age of eighteen (18) years, and:

- (1) Contains graphic violence; or,
- (2) Contains strong sexual content.

Incidental view means a minor's view for fewer than thirty (30) seconds of the playing surface or screen of an amusement machine.

Knowingly means having general knowledge of, or reason to know, or a belief or ground for belief that warrants further inspection or inquiry of both:

- (1) The character and content of the visual representations of the amusement machine; and,
- (2) The age of the person operating or seeking to operate the amusement machine, provided, however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt (including but not limited to asking for legal photo identification) to ascertain the true age of the minor.

Minor means a person under the age of eighteen (18) years. This definition does not apply to a minor who has obtained a court decree pursuant to IC 31-34-20-6.

Not harmful means an amusement machine that is not harmful to minors.

Nudity means an amusement machine's visual depiction or representation of human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or of a female breast with less than a fully opaque covering of any part of the nipple, or the showing of covered male genitals in a discernibly turgid state.

Parent, guardian or custodian means and includes a person who has legal custody of the child minor and is the child's minor's:

- (1) Natural parent;
- (2) Stepparent, adoptive parent or custodian as those terms are defined by IC 35-42-4-7;
- (3) Guardian as defined by IC 29-3-1-6; or
- (4) Other adult who has been appointed by a court to care for a child minor.

but, for purposes of subsections 831-5(e), 831-5(f) and 831-5(g) and subsections 831-6(c), 831-6(d) and 831-6(e), shall not include an exhibitor, or owner or operator of an amusement location with respect to a child minor who is present in the exhibitor's, owner's or operator's place of business.

Pool or billiard table means a table used for any form of the games commonly referred to as pool or billiards and includes any table of any size, the top of which is surrounded by an elastic ledge or cushion and which is designed or used to play any game which consists of impelling balls by means of sticks or cues.

Exhibitor means a person who owns or operates a place of business in the city where four (4) or fewer amusement machines are located.

Public property means all buildings and areas within Marion County that are owned, operated, or leased as lessee, by the City of Indianapolis, Marion County, a city or county department, a city-county agency, or a township, including but not limited to the Department of Parks and Recreation, but does not include property for which the City of Indianapolis, Marion County is the lessor.

Registrant in this chapter means a person registered with the controller under this chapter as the owner or operator of an amusement location in the city.

Strong sexual content means the visual depiction or representation by an amusement machine of nudity or explicit human sexual behavior by any human or human-like being in one or more of the following forms: masturbation; deviate sexual conduct; sexual intercourse; or, fondling of genitals.

SECTION 2. Section 831-5 of the "Revised Code of the Consolidated City and County," regarding operation of amusement locations, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 831-5. Operation of amusement locations; violations.

(a) All amusement locations shall be kept in a clean, healthful and sanitary condition at all times and the controller shall have the power to determine if such room or rooms are kept in a clean, healthful and sanitary condition and for such purpose, when desired, have the assistance of any law enforcement agency or the Health and Hospital Corporation of Marion County. If the controller shall determine, by a law enforcement agency or the division of buildings of the Health and Hospital Corporation of Marion County, that an unsanitary condition exists within an amusement location or on property immediately adjacent to the amusement location, which property is under the control of the amusement location owners or their lessee or lessor, the controller shall have the power to suspend the amusement location registration until such unsanitary condition is rectified.

(b) No registrant under this chapter shall permit persons to congregate in a disturbing manner within an amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for an amusement location which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the amusement location registrations by the controller.

(c) No registrant under this chapter, or registrant's employee, shall violate any state statute or city ordinance, or allow any other person to commit such violation, within an amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for an amusement location which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the amusement location registrations by the controller.

(d) All employees of a registrant under this chapter shall be eighteen (18) years of age or older.

(e) It shall be unlawful for a person to allow a ~~child~~ minor under sixteen (16) years of age who is subject to the compulsory school attendance laws of the state and who is not accompanied by the ~~child's~~ minor's parent, guardian or custodian to be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when such ~~child's~~ minor's school is in session.

(f) It shall be unlawful for a person to allow a ~~child under eighteen (18) years of age~~ minor to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless such ~~child~~ minor is accompanied by the ~~child's~~ minor's parent, guardian or custodian, or an adult specified by the ~~child's~~ minor's parent, guardian or custodian.

(g) It shall be unlawful for a person to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no ~~child~~ minor under sixteen (16) years of age may be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when the ~~child's~~ minor's school is in session unless accompanied by the ~~child's~~ minor's parent, guardian or custodian, and that no ~~child under eighteen (18) years of age~~ minor may be present in an amusement location in violation of the curfew established by state statute or city ordinance.

(h) It shall be unlawful for a registrant, a registrant's agent, or an employee of an amusement location knowingly to allow a minor who is not accompanied by the minor's parent, guardian or custodian to operate in the amusement location an amusement machine that is harmful to minors.

(i) It shall be unlawful for a registrant to operate an amusement location unless each amusement machine that is harmful to minors in the amusement location displays a conspicuous sign indicating that the machine may not be operated by a minor under eighteen (18) years of age unless the minor is accompanied by his or her parent, guardian, or custodian. If amusement machines that are harmful to minors are displayed together in an area separate from amusement machines that are not harmful, a single conspicuous sign in that area or at the entrance to that area may be used to mark the group of machines for purposes of this subsection.

(j) It shall be unlawful for a registrant to make available to patrons any amusement machine that is harmful to minors within ten (10) feet of an amusement machine that is not harmful. It shall further be unlawful for a registrant not to separate amusement machines that are harmful to minors from other machines by some form of partition, divider, drape, barrier, panel, screen, or wall that completely obstructs the view of persons outside the partitioned area of the playing surface or display screen of the machines that are harmful to minors. It shall be unlawful for a registrant, registrant's agent, or employee of an amusement location to allow a minor who is not accompanied by his or her parent, guardian, or custodian into the partitioned area.

(k) It shall be unlawful for a registrant to make available to patrons any amusement machine that is harmful to minors if the registrant has been cited for three (3) or more violations of Section 831-5(h), (i), (j), or (k) of this Code in any twelve-month period in the preceding three (3) years.

(l) One or more violations of Section 831-5(h), (i), (j), or (k) of this Code may serve as grounds for suspension or revocation of the amusement location's registration, pursuant to the authority vested in the controller and procedures prescribed in Chapter 801 of this Code. Three (3) or more violations of Section 831-5(h), (i), (j), or (k) of this Code, however, shall require revocation of the amusement location's registration, subject to the notice and hearing requirements of Chapter 801. For the purposes of this subsection, no more than one violation shall be deemed to have occurred on any one day.

SECTION 3. Section 831-6 of the "Revised Code of the Consolidated City and County," regarding operation of amusement machines by exhibitors, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 831-6. Operation of amusement machines by exhibitors; violations.

(a) No exhibitor or exhibitor's employee shall permit persons to congregate in a disturbing manner on the premises of the exhibitor's place of business.

(b) No exhibitor or exhibitor's employee shall violate any state statute or city ordinance, or allow any other person to commit such violation on the premises of the exhibitor's place of business.

(c) It shall be unlawful for an exhibitor or the exhibitor's employee to allow a ~~child~~ minor under sixteen (16) years of age who is subject to the compulsory school attendance laws of the state and who is not accompanied by the ~~child's~~ minor's parent, guardian or custodian to operate an amusement machine in the exhibitor's place of business between the hours of 7:00 a.m. and 3:30 p.m. on a day when such ~~child's~~ minor's school is in session.

(d) It shall be unlawful for an exhibitor or the exhibitor's employee to allow a ~~child under eighteen~~ (18) years of age minor to operate an amusement machine in the exhibitor's place of business after the hours established by state statute or city ordinance for juvenile curfew unless such ~~child~~ minor is accompanied by the ~~child's~~ minor's parent, guardian or custodian, or an adult specified by the ~~child's~~ minor's parent, guardian or custodian.

(e) It shall be unlawful for an exhibitor to have amusement machines in his or her place of business unless a sign is conspicuously posted near any amusement machines which provides that no ~~child~~ minor under sixteen (16) years of age may operate an amusement machine between the hours of 7:00 a.m. and 3:30 p.m. on a day when the ~~child's~~ minor's school is in session unless accompanied by the ~~child's~~ minor's parent, guardian or custodian, and that no ~~child under eighteen~~ (18) years of age minor who is in violation of the curfew established by state statute or city ordinance may operate an amusement machine.

(f) It shall be unlawful for an exhibitor, an exhibitor's agent, or an exhibitor's employee knowingly to allow a minor who is not accompanied by the minor's parent, guardian or custodian to operate in the exhibitor's place of business an amusement machine that is harmful to minors.

(g) It shall be unlawful for an exhibitor to make available to patrons in his or her place of business amusement machines that are harmful to minors unless each amusement machine that is harmful to minors displays a conspicuous sign indicating that the machine may not be operated by a minor under eighteen (18) years of age unless the minor is accompanied by his or her parent, guardian, or custodian. If amusement machines that are harmful to minors are displayed together in an area separate from amusement machines that are not harmful, a single conspicuous sign in that area or at the entrance to that area may be used to mark the group of machines for purposes of this subsection.

(h) It shall be unlawful for an exhibitor to make available to patrons any amusement machine that is harmful to minors within ten feet of an amusement machine that is not harmful. It shall further be unlawful for an exhibitor, exhibitor's agent, or exhibitor's employee to allow a minor who is not accompanied by his or her parent, guardian, or custodian to view, with the exception of an incidental view, the playing surface or screen of a game that is harmful to minors.

(i) It shall be unlawful for an exhibitor to make available to patrons any amusement machine that is harmful to minors if the exhibitor has been cited for three (3) or more violations of Section 831-6(d), (g), (h), or (i) of the Code in any twelve-month period in the preceding three (3) years.

SECTION 4. Chapter 831 of the "Revised Code of the Consolidated City and County," regarding amusement machine locations, hereby is amended by the addition of a NEW Section 831-7, regarding harmful games on public property, to read as follows:

Sec. 831-7. Harmful games on public property.

It shall be unlawful for a registrant or exhibitor to make available on public property any amusement machine that is harmful to minors.

SECTION 5. Section 831-7 of the "Revised Code of the Consolidated City and County," regarding inspections and reports of violations, upon the passage of this ordinance shall be RENUMBERED as "Section 831-8."

SECTION 6. Section 831-8 of the "Revised Code of the consolidated City and County," regarding enforcement and penalties, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 831-89. Enforcement and penalties.

A person who violates any provision of this chapter shall be punishable as provided in section 103-3 of the Code; provided, however, the fine imposed for such violation shall not be less than two hundred dollars (\$200.00), that for the purpose of assessing fines no more than one violation shall be deemed to have occurred

on any one day, and that each day that an offense continues shall constitute a separate violation. The fines assessed for violations of this chapter shall be deposited with the law enforcement agency that caused the violation to be filed, if any.

SECTION 7. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 8. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council. To this end, the provisions of the ordinance are severable.

SECTION 9. This ordinance shall be in effect September 1, 2000.

Councillor Bradford asked for consent to explain his vote. Consent was given. Councillor Bradford stated that he is thankful for the compromise reached on a new draft of the proposal and is thankful for the supplemental information and video tape. He stated that he does not, however, believe that violent video games are the primary reason for shootings such as those that happened at Columbine High School. He said that the single-most contributing factors to violence in youth are the lack of parental guidance and spiritual values. He added since public prayer was taken out of schools in 1962, the nation has been destroying their youth. The allowance of abortion and the proliferation of pornography on television and printed matter have contributed to the destruction of youth. He said that even the lottery contributes to gambling habits of the youth. He said that this ordinance may make everyone feel good, but there will never be the personnel to enforce it or the data to track it. He added that the Mayor has pushed symbolism over substance, and he hopes that future efforts of the Mayor will produce more tangible results for this City, rather than just feel-good symbolism.

Councillor Boyd stated that he feels it is poor taste for Councillor Bradford to use this proposal and this platform for his conservative philosophy and a way to criticize the Mayor when there is no need to do so.

PROPOSAL NO. 293, 2000. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 293, 2000 on June 19, 2000. The proposal, sponsored by Councillor Coughenour, requests that the Mayor, before signing any legally binding document in connection with the proposed NPDES permits, provide such document for the Council's review and comment. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coughenour stated that she has had recent meetings with the Mayor's administration and she believes that promises from that area have addressed her concerns. She moved to table Proposal No. 293, 2000. Councillor Soards seconded the motion. Proposal No. 293, 2000 was tabled by a unanimous voice vote.

PROPOSAL NO. 358, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 358, 2000 on June 27, 2000. The proposal provides for a contingency salary range allowing the Information Technology Board to pay a salary to the Chief Information Officer that exceeds the current maximum county employee salary. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Black stated that there are County secretaries making \$12,000 a year and he cannot vote in favor of such a high salary for a management position when these low salaries create such a turnover and low level of service.

President SerVaas stated that this is a very technical position which affects many departments and agencies of the City and County and it is next to impossible to attract qualified individuals with a lower salary.

Councillor Coonrod moved, seconded by Councillor Nytes, for adoption. Proposal No. 358, 2000, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 358, 2000, as amended, was retitled GENERAL RESOLUTION NO. 5, 2000, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2000

A GENERAL RESOLUTION concerning the range of salary for the Chief Information Officer for the year 2000.

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

SECTION 1. The City-County Council, as the legislative and fiscal body of Marion County, hereby amends the salary schedule for Marion County employees established by General Resolution No. 18, 1999, by adding that a contingency range for the position of Chief Information Officer for the year 2000 shall be from \$105,000 to \$115,000.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-34-14.

PROPOSAL NO. 397, 2000. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 397, 2000 on June 26, 2000. The proposal amends the Zoning Ordinance concerning interstate rights-of-way (2000-AO-02) (Certified June 13, 2000). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas asked if this will affect any zones currently in place. Maury Plambeck, administrator for the Division of Planning, stated that there will be no new zones, but surrounding existing zones will simply be moved to the center line of the interstates.

Councillor Soards asked if these zones will affect public utilities' uses of rights-of-way. Mr. Plambeck stated that they will not.

Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 397, 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, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Nytes, Schneider, SerVaas, Short, Smith, Soards, Tilford*

0 NAYS:

2 NOT VOTING: *Moriarty Adams, Talley*

1 ABSENT: *Sanders*

Proposal No. 397, 2000 was retitled GENERAL ORDINANCE NO. 73, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 2000

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 2000-AO-02

AMENDMENT TO THE ZONING ORDINANCE
OF MARION COUNTY, INDIANA

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

WHEREAS, IC 36-7-4 established the Metropolitan Development Commission of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the Metropolitan Development Commission to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana, ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger, lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values and securing responsible development and growth; and,

WHEREAS, the freeway rights-of-way within Marion County have not been zoned, and pressures for development have occurred within these unzoned areas; and,

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

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

SECTION 1. The Zoning Ordinance of Marion County, Indiana is hereby amended by amending the Code of Indianapolis and Marion County, Appendix D, as follows:

CHAPTER 1.00 PURPOSE AND APPLICATION

Sec. 1.10 Statement of purpose.

The purpose of this ordinance is to assign zoning classifications to the unzoned land in Marion County, which is generally occupied by freeways, but which also may be occupied by other uses.

Sec 1.20 Extension of zoning districts.

Where a zoning boundary line follows the edge of the rights-of-way of the freeways or lies within the rights-of-way of the freeways within Marion County, that zoning boundary shall be extended to the centerline of that right-of-way and shall be construed as following the centerline of the right-of-way.

CHAPTER 2.00

Sec. 2.10 Severability. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Sec. 2.20 Compliance. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 414, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 414, 2000 on June 21, 2000. The proposal concerns the Law Enforcement Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 414, 2000 was adopted on the following roll call vote; viz:

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

Proposal No. 414, 2000 was retitled GENERAL ORDINANCE NO. 74, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 2000

A GENERAL ORDINANCE amending Sec. 135-291 concerning the Law Enforcement Fund.

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

SECTION 1. Sec. 135-291 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 135-291. Created.

(a) There is hereby created a "law enforcement fund." The fund shall consist of deposits in the form of voluntary surrender fees, reimbursement for restitution, and other law enforcement related fees recovered by the office of the county prosecutor which are not required to be deposited in the county general fund.

(b) The law enforcement fund shall be appropriated only for funding activities ~~recovered by IC 34-4-30.1 and IC 34-4-30.5 to support and supplement the pursuit, apprehension, and prosecution of individuals involved in racketeering or illegal drug activity, including but not limited to training, equipment, and education of law enforcement personnel; asset forfeiture litigation support and costs; and salaries and overtime of personnel engaged in the pursuit, apprehension, and prosecution of individuals involved in racketeering or illegal drug activity~~

(c) Monies from this fund shall be subject to appropriation in accordance with IC 36-3-6-6.

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

Councillor Smith reported that the Capital Asset Management Committee heard Proposal Nos. 87, 418-420, 422, 424, and 425, 2000 on June 28, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 87, 2000. The proposal, sponsored by Councillor Hinkle, authorizes parking restrictions on St. Clair Street and on Westmore Drive (District 18). PROPOSAL NO. 418, 2000. The proposal, sponsored by Councillor Talley, authorizes intersection controls for the Pine Crest Subdivision (District 14). PROPOSAL NO. 419, 2000. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Spencer Avenue and 19th Street (District 15). PROPOSAL NO. 420, 2000. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Leland Avenue and 19th Street (District 15). PROPOSAL NO. 422, 2000. The proposal, sponsored by Councillor Knox, authorizes a multi-way stop at Reisner Street and

Vermont Street (District 17). PROPOSAL NO. 424, 2000. The proposal, sponsored by Councillor Douglas, authorizes a yield sign at 23rd Street and Butler Avenue (District 10). PROPOSAL NO. 425, 2000. The proposal, sponsored by Councillor Brents, authorizes a change in parking restrictions surrounding the Indiana War Memorial Plaza on Michigan Street and North Street (District 16). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Smith moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 87, 418-420, 422, 424, and 425, 2000 were adopted on the following roll call vote; viz:

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

Proposal No. 87, 2000 was retitled GENERAL ORDINANCE NO. 75, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 2000

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

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

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

St. Clair Street, on the south side, from Girls School Road to Westmore Drive

Westmore Drive, on the west side, from St. Clair Street to 10th Street

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

Proposal No. 418, 2000 was retitled GENERAL ORDINANCE NO. 76, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 2000

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Cedar Pine Dr Limberpine Dr	Limberpine Dr	Stop
21	Lacebark Dr Lacebark Ln	Lacebark Dr	Stop
21	Lacebark Dr Limberpine Dr	Lacebark Dr	Stop
21	Lacebark Dr Lostpine Ln	Lostpine Ln	Stop
21	Lacebark Ln Long Wharf Dr	Lacebark Ln	Stop
21	Long Wharf Dr Lostpine Ln	Long Wharf Dr	Stop

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

Proposal No. 419, 2000 was retitled GENERAL ORDINANCE NO. 77, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 2000

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Spencer Av, 19 th St	19 th St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Spencer Av, 19 th St	None	All Way Stop

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

Proposal No. 420, 2000 was retitled GENERAL ORDINANCE NO. 78, 2000, and reads as follows:

July 10, 2000

CITY-COUNTY GENERAL ORDINANCE NO. 78, 2000

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Leland Av, 19 th St	19 th St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Leland Av, 19 th St	None	All Way Stop

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

Proposal No. 422, 2000 was retitled GENERAL ORDINANCE NO. 79, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 2000

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Reisner St, Vermont St	Vermont St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Reisner St., Vermont St	None	All Way Stop

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

Proposal No. 424, 2000 was retitled GENERAL ORDINANCE NO. 80, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 2000

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	23 rd St Butler Av	23 rd St	Yield

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

Proposal No. 425, 2000 was retitled GENERAL ORDINANCE NO. 81, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 2000

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Michigan Street, on the north side, from a point 119 feet east of Meridian Street to a point 330 feet east of Meridian Street

Michigan Street, on the north side, from a point 116 feet east of Meridian Street to a point 332 feet east of Meridian Street

North Street, on both sides, from a point 125 feet east of Meridian Street to a point 329 feet east of Meridian Street

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

**SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL
SPECIAL ORDERS – FINAL ADOPTION**

The President convened the Solid Waste Collection Special Service District Council.

PROPOSAL NO. 415, 2000. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 415, 2000 on June 22, 2000. The proposal 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor

July 10, 2000

Moriarty Adams, for adoption. Proposal No. 415, 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, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Schneider, Short, Soards, Tiford

0 NAYS:

3 NOT VOTING: SerVaas, Smith, Talley

1 ABSENT: Sanders

Proposal No. 415, 2000 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2000, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2000

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 2000 (Solid Waste Collection Special Service District Fiscal Ordinance No. 3, 1999) reducing the appropriations by Forty Six Thousand Dollars (\$46,000) in the Solid Waste Collection Service District Fund for purposes of the Department of Public Works, Environmental Resources Management Division, and increasing the unappropriated and unencumbered balance in the Solid Waste Collection Service District Fund.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District 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 reduce the budget to correct errors in the original appropriation.

SECTION 2. The sum of Forty Six Thousand Dollars (\$46,000) be, and the same is hereby unappropriated for the purposes as shown in Section 3 by increasing the unappropriated balances as shown in Section 4.

SECTION 3. The following appropriation is hereby reduced:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION</u>
<u>ENVIRONMENTAL RESOURCE MANAGEMENT DIVISION</u>	<u>SERVICE DISTRICT FUND</u>
3. Other Services and Charges	46,000
TOTAL DECREASE	46,000

SECTION 4. The said reduction results in the following increase:

	<u>SOLID WASTE COLLECTION</u>
	<u>SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered	
Solid Waste Collection Service District Fund	46,000
TOTAL INCREASE	46,000

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

The President reconvened the City-County Council.

NEW BUSINESS

PROPOSAL NO. 463, 2000. The proposal, sponsored by Councillors Borst, Brents, and Soards, allows restaurant sidewalk café activity on Monument Circle. Councillor Borst stated that this proposal came about as a request of three businesses located on the circle and their wish to have

sidewalk cafés: Quizno's, Starbucks, and Giorgio's Pizza. He said that waiting until the August 7th Council meeting to approve this proposal would cause these restaurants to be unable to take advantage of the summer season for outdoor cafés. He moved, seconded by Councillor Brents, for adoption.

Councillor Conley stated that this is a good thing for the City and sidewalk cafés help add to the first-class nature of Indianapolis.

Proposal No. 463, 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, Hinkle, Knox, Langsford, Massie, Moriarty, Adams, Nytes, Schneider, SerVaas, Short, Soards, Tilford
1 NAY: Horseman
2 NOT VOTING: Smith, Talley
1 ABSENT: Sanders

Proposal No. 463, 2000 was retitled GENERAL ORDINANCE NO. 82, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 2000

A GENERAL ORDINANCE amending Section 961-703 of the Revised Code concerning sidewalk carts and cafes.

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

SECTION 1. Sec. 961-703 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the stricken-through text to read as follows:

Sec. 961-703. Requirements for registration.

(a) The controller is authorized to approve a registration of a person to use a sidewalk sales area situated immediately next to the abutting retail business property owned or leased by the person, for the sole purpose of engaging in cafe activity. The sidewalk sales area which the person utilizes for cafe activity shall be located in the city. ~~Such a registration shall not be approved for sidewalk sales areas within the geographic area bounded by Court Street on the south, Pierson Street on the west, Wabash Street on the north, and Seoto Street on the east.~~ A person who desires to register to use a sidewalk sales area for cafe activity shall complete a registration form provided by the controller, and file the form with the controller.

(b) The controller shall approve the registration and issue a certificate of registration to each registrant qualified under section 801-202 of the Code and the provisions of this chapter, if the requirements listed in this subsection are met.

- (1) The public sidewalk area immediately next to the abutting retail business property of the registrant shall be of the following width (measured from the curb edge to the property line):
 - a. At least fourteen (14) feet if the sidewalk is located within the geographic area bounded by the center lines of North Street, East Street, South Street and West Street; or
 - b. At least twelve (12) feet if the sidewalk is located outside the geographic area described in section (1)a. of this subsection.
- (2) The sidewalk sales area shall meet these requirements:
 - a. The sidewalk sales area must be located next to abutting retail business property;
 - b. The dimensions of the sidewalk sales area to be used for cafe activity shall be approved by the director of the city department of capital asset management under the following process:

1. The city department of capital asset management shall conduct a pedestrian traffic count on a representative day or days in the spring, summer or fall for the public sidewalk area situated immediately next to the abutting retail business property owned or leased by the applicant;
2. The city department of capital asset management shall calculate the effective walkway width of the sidewalk after removing from consideration the sidewalk sales area proposed to be used by the registrant; and
3. The director of the city department of capital asset management shall, in light of such pedestrian count and effective walkway width information, determine if the effective walkway width will safely and comfortably accommodate pedestrian traffic at that location for a significant number of hours each week;

however, in no event shall the director approve dimensions of a sidewalk sales area that would result in the effective walkway width being reduced to less than five (5) feet; and

- c. No part of the sidewalk sales area is located within twelve (12) feet of the point at which the right-of-way lines of two (2) or more streets intersect, fifteen (15) feet of any bus loading zone, ten (10) feet of any sidewalk elevator, six (6) feet of any building standpipe, building hydrant or sidewalk grate, or five (5) feet of any taxi stand area, crosswalk, driveway, or alleyway.
- (3) The applicant shall be actively engaged in a retail business involving the sale of beverages or food in the abutting retail business property. The beverages or food sold in the cafe area will also be sold in the abutting retail business property. The floor area of the abutting retail business property must exceed the area of the sidewalk sales area.
- (4) The director of the city department of capital asset management shall have determined on which days and during what hours the sidewalk sales area may be used for cafe activity.
- (5) Applicable permits required by the Health and Hospital Corporation of Marion County and other regulatory agencies shall have been secured and are in force.
- (6) The applicant shall have provided a certificate of public liability insurance to the controller, approved as to form by the corporation counsel, insuring the person and naming the City of Indianapolis as co-insured. The required amounts of personal injury and property damage insurance requirements shall be established by the corporation counsel, and shall be maintained by the registrant throughout the term of the registration.
- (7) The applicant shall have provided a document, approved as to form by the corporation counsel, in which the registrant agrees to indemnify and hold harmless the city for losses, damages, claims or expenses arising out of the use of the sidewalk sales area for cafe activity.
- (8) A scale drawing or site plan which shows the appearance and location of furniture, fixtures, and equipment (including, but not limited to, tables, barriers, chairs, signs, awnings, trash receptacles and umbrellas) in the cafe area, shall have been approved by the city department of metropolitan development for consistency with the requirements and objectives of this article.

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

Councillor Dowden encouraged all Councillors to attend a reception on Tuesday, July 18, 2000, at the Marion County Fair, and said that each member should have received an invitation.

Councillor Coughenour congratulated Councillor Schneider on being asked to testify before Congress on the issue of rising fuel prices and the effect of such.

PROPOSAL NO. 332, 2000. The proposal, sponsored by Councillors Boyd and Talley, requests that the Citizens Complaint Process Working Group be asked to reconvene to review the citizens complaint process. Councillor Boyd moved to strike Proposal No. 332, 2000, due to the failure of the Committee Chairman to provide for a public hearing. Councillor Dowden stated that a public

hearing was held on this proposal on June 21, 2000. Councillor Black seconded the motion to strike. Proposal No. 332, 2000 was stricken by a unanimous voice vote.

Councillor Boyd moved that the attorney for Council be requested to respond to the questions and issues in Councillor Boyd's memo to him dated June 14, 2000, and that such response be in writing and presented orally at the August 7th meeting of the Council. Councillor Black seconded the motion and asked why counsel has not responded to this memo.

General Counsel Robert Elrod stated that he thought he had responded to this memo before he left on vacation, but must not have actually sent his response. He stated that it will be no problem to provide a response now that he has returned from vacation.

Councillor Gray requested prayers and thoughts for Councillor Talley and his family due to the illness of his wife. President SerVaas stated that he joins Councillor Gray in this request.

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 Hinkle in memory of Frank J. Russell; and
- (2) Councillor Knox in memory of R. William Day.

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 Frank J. Russell and R. William Day. 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 10:00 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 10th day of July, 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)