

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 27, 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 7:23 p.m. on Monday, November 27, 2000, with President SerVaas presiding.

Councillor Black introduced Reverend Duane Walker of Jones Tabernacle African Methodist Episcopal Zion Church, who led the opening prayer. Councillor Black then invited all present to join him in the Pledge of Allegiance to the Flag.

President SerVaas stated that earlier this evening Lynn McWhirter was elected by precinct committee members as the new Councillor for District 18. He said that Ms. McWhirter will be replacing Councillor Phillip Hinkle, who resigned effective November 20, 2000, as the result of his election to a House of Representatives seat. Suellen Hart, Clerk of the Council, administered the oath of office to Ms. McWhirter.

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gray recognized former Indianapolis Fire Department Chiefs, Ron Evans and Dan Gammon. Councillor Cockrum recognized the caucus of Wayne Township in attendance for Councillor McWhirter's swearing in. Councillor McWhirter thanked the caucus for their support. Councillor Borst introduced John Keeler, Marion County Republican Chairman. Councillor

Horseman recognized Ryan Cruse, Hearthstone Neighborhood Association; and Teresa and Whitley Wynns, the wife and daughter of Joseph Wynns, Director of the Department of Parks and Recreation.

OFFICIAL COMMUNICATIONS

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, November 27, 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

November 14, 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* on Wednesday, November 15, 2000, and in the *Indianapolis Star* on Thursday, November, 16, 2000, a copy of a Notice of Public Hearing on Proposal Nos. 730 and 733, 2000, said hearing to be held on Monday, November 27, 2000, at 7:00 p.m. in the City-County Building.

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

November 24, 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. 140, 2000 - approves an increase of \$132,813 in the 2000 Budgets of the County Auditor and Cooperative Extension Service (State and Federal Grants Fund) to fund the Grassroots Prevention Projects, funded by a three-year award from the Indiana Family and Social Services Administration

FISCAL ORDINANCE NO. 141, 2000 - approves an increase of \$50,000 in the 2000 Budgets of the County Auditor and Cooperative Extension Service (County Grants Fund) to fund the Turf Management Project, funded by a grant from the Indiana State Lawn Care Association

FISCAL ORDINANCE NO. 142, 2000 - approves an increase of \$25,000 in the 2000 Budgets of the County Auditor and Cooperative Extension Service (County Grants Fund) to continue funding for the Youth Program, funded by a grant from the Marion County 4-H Clubs, Inc.

FISCAL ORDINANCE NO. 143, 2000 - approves an increase of \$4,228 in the 2000 Budgets of the County Auditor and Cooperative Extension Service (County Grants Fund) to cover short falls in the High Hopes Program, funded by a grant from the Marion County 4-H Clubs, Inc.

FISCAL ORDINANCE NO. 144, 2000 - approves an increase of \$250,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (State Grants fund) to make street

improvements on Innovation Boulevard in the Woodland Corporate Park in Pike Township, financed by a grant from the Indiana Department of Commerce

FISCAL ORDINANCE NO. 145, 2000 - approves an increase of \$42,679 in the 2000 Budget of the Department of Parks and Recreation (State Grants Fund) to make improvements to the Perry Park ice rink, financed with a Build Indiana grant

FISCAL ORDINANCE NO. 148, 2000 - approves a transfer of \$20,000 in the 2000 Budget of the Forensic Services Agency (County General Fund) to pay for various contractual and training expenses

GENERAL ORDINANCE NO. 131, 2000 - authorizes a multi-way stop at 87th Street and Guilford Avenue (District 3)

GENERAL ORDINANCE NO. 132, 2000 - authorizes a traffic signal at Emerson Avenue and Southpark Drive (Districts 23, 24)

GENERAL ORDINANCE NO. 133, 2000 - authorizes intersection controls for Iron Gate Subdivision (District 13)

GENERAL ORDINANCE NO. 134, 2000 - authorizes intersection controls for the Inverness at Country Club Place, Section 1 and 2 (District 18)

GENERAL ORDINANCE NO. 135, 2000 - authorizes intersection controls for the Heathery at Country Club Place, Section 1 and 2 (District 18)

GENERAL ORDINANCE NO. 136, 2000 - authorizes intersection controls for the Tumberry at Country Club Place Subdivision (District 18)

GENERAL ORDINANCE NO. 137, 2000 - authorizes multi-way stops at Acacia Drive and Foxfire Drive, and at Shadow Brook Drive and Studebaker Lane (District 18)

GENERAL ORDINANCE NO. 138, 2000 - authorizes a multi-way stop at New York Street and Routiers Avenue (District 13)

GENERAL ORDINANCE NO. 139, 2000 - authorizes a multi-way stop at Ralston Avenue and 23rd Street (Districts 10, 22)

GENERAL ORDINANCE NO. 140, 2000 - authorizes a multi-way stop at 13th Street and Oxford Street (District 10)

GENERAL ORDINANCE NO. 141, 2000 - authorizes a multi-way stop at Brunswick Avenue and Randolph Street (District 20)

GENERAL ORDINANCE NO. 142, 2000 - authorizes a change in parking restrictions on various segments of Morris Street (District 25)

GENERAL ORDINANCE NO. 143, 2000 - authorizes parking restrictions on Pleasant Run near Spruce Street (District 21)

GENERAL ORDINANCE NO. 144, 2000 - authorizes parking restrictions on Rural Street between 13th Street and Nowland Avenue (Districts 10, 22)

GENERAL ORDINANCE NO. 145, 2000 - authorizes parking restrictions on Brookville Frontage Road from Brookville Road to a point 740 feet north of Brookville Road (District 13)

GENERAL ORDINANCE NO. 146, 2000 - authorizes a weight limit restriction for Senate Avenue from Morris Street to Wisconsin Street (District 25)

GENERAL ORDINANCE NO. 147, 2000 - authorizes a weight limit restriction on Waldemere Avenue from Washington Street to Chelsea Road (District 19)

GENERAL ORDINANCE NO. 148, 2000 - authorizes the removal of parking meters on East Street, on the west side, from Ohio Street to Washington Street (District 22)

SPECIAL RESOLUTION NO. 77, 2000 - recognizes the Council service of Phillip Hinkle

SPECIAL RESOLUTION NO. 78, 2000 - approves the amounts, locations, and programmatic operation for each project to be funded from Community Development Grant Funds

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 November 13, 2000. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 772, 2000. The proposal, sponsored by Councillor Horseman, congratulates Parks Director Joseph Wynns for his induction as a fellow into the American Academy for Parks and Recreation Administration. Councillor Horseman read the proposal and presented Mr. Wynns with a copy of the document and a Council pin. Mr. Wynns thanked God, his wife, and his daughter for enabling him to do what he does. He recognized members of his church, members of the Park staff, the Mayor, and the Council for their support. Councillors Boyd and Cockrum congratulated Mr. Wynns on his accomplishments and wished him many future successes. Councillor Horseman moved, seconded by Councillor Cockrum, for adoption. Proposal No. 772, 2000 was adopted by a unanimous voice vote.

Proposal No. 772, 2000 was retitled **SPECIAL RESOLUTION NO. 79, 2000**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 2000

A **SPECIAL RESOLUTION** congratulating Parks Director Joseph Wynns for his induction as a fellow into the American Academy for Parks and Recreation Administration.

WHEREAS, the American Academy for Parks and Recreation was created in 1980 to encourage scholarly research, advance knowledge within the parks and recreation administration profession, and to educate the general public on the importance of parks and recreation; and

WHEREAS, membership in the National Academy is limited to 125 practicing professionals with a minimum requirement of 15 years experience at the management or academic level; and

WHEREAS, Indianapolis Department of Parks and Recreation Director Joseph Wynns was inducted into the prestigious Academy last month during the National Recreation and Park Association's annual Congress and Exposition in Phoenix that was attended by 10,000 people from throughout America; and

WHEREAS, Mr. Wynns joined the Indianapolis Department of Parks and Recreation almost 30 years ago after playing professional football and teaching and coaching in the Indianapolis Public Schools; 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 Joseph Wynns for earning the professional honor of being inducted as a fellow in the American Academy for Parks and Recreation Administration.

SECTION 2. The quality of life for citizens of Indianapolis and Marion County is made more attractive by the parks, recreation and leisure time programs of the city's Department of Parks and Recreation, its Board, Director Joe Wynns, Parks staff and volunteers, and their many partnership alliances.

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

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

President SerVaas encouraged Council members to review the changes proposed in Council meeting dates for 2001, as outlined in Proposal No. 752, 2000. He said that he would like to take a vote on this proposal this evening. Councillor Boyd asked what changes have been made. General Counsel Robert Elrod said that meeting numbers 6, 11, and 18 have been changed.

PROPOSAL NO. 773, 2000. The proposal, sponsored by Councillors Smith and Coughenour, recognizes the public service of Ron Griewe. Councillor Smith read the proposal and presented Mr. Griewe with a copy of the document and a Council pin. Mr. Griewe thanked his talented staff and a director and administrator who have placed their confidence in him. He thanked the Councillors for their support. Councillor Smith moved, seconded by Councillor Coughenour, for adoption. Proposal No. 773, 2000 was adopted by a unanimous voice vote.

Proposal No. 773, 2000 was retitled SPECIAL RESOLUTION NO. 80, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 2000

A SPECIAL RESOLUTION recognizing the public service of Ron Griewe.

WHEREAS, Ronald Griewe worked for an engineering company and was the Assistant City Engineer of Hobart, Indiana, even before his graduation from Purdue University in 1964; and

WHEREAS, after Purdue, Ron worked for the state highway department in long range planning and with the Indianapolis Department of Transportation where he worked with traffic studies and reports; and

WHEREAS, he was lured off to the private sector from 1971 to 1976 where he did much of the same type of work under contracts with various transit authorities and highway departments; and

WHEREAS, Ron returned to Indianapolis City Hall in 1976 where he spent the past several years as Assistant Administrator of the Department of Capital Asset Management's Traffic Engineering Section; and

WHEREAS, during Mr. Griewe's work with Traffic Engineering, he spent a considerable amount of time appearing before the Council Committee's public hearings on each new proposed traffic ordinance; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the competent work for the City of Indianapolis by Ron Griewe from 1967 to 1971, and again from 1976 to the present.

SECTION 2. The Council wishes Ron well in his government retirement, and as he will likely consign himself to other pursuits, we wish him the best of success in whatever post-retirement work that he chooses.

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. 774, 2000. The proposal, sponsored by Councillors Smith and Coughenour, recognizes the public service of Lori Miser. Councillor Coughenour read the proposal and presented Ms. Miser with a copy of the document and a Council pin. Ms. Miser recognized her husband Craig, and sons Jesse and Alex. She said that it has been an honor to serve the Council

and the administration for the last ten years, and she is leaving the City in good hands with a great team of dedicated individuals. President SerVaas stated that Ms. Miser has been a great source of information whenever he has had questions, and she will be greatly missed. Councillor Coughenour moved, seconded by Councillor Smith, for adoption. Proposal No. 774, 2000 was adopted by a unanimous voice vote.

Proposal No. 774, 2000 was retitled SPECIAL RESOLUTION NO. 81, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 2000

A SPECIAL RESOLUTION recognizing the public service of Lori Miser.

WHEREAS, Lori Miser is a native of Peru, Indiana—the “Circus City”, which was once the winter home of several great circus groups, and in this context, Lori herself worked on the circus high wire and trapeze for 12 years where she became the only female to have walked the high wire on stilts; and

WHEREAS, after graduating from Indiana University, Mrs. Miser migrated to California where she worked for a transportation consulting company, then to Wisconsin, and finally back home to the Hoosier State where more than 10 years ago she came to work for the city Department of Metropolitan Development and then the Department of Capital Asset Management; and

WHEREAS, she has been the Administrator of the Asset Management Division of the Department of Capital Asset Management where she was daily involved with sewers, roads, sidewalks, drainage, the wastewater treatment plants, right-of-ways, solid waste and environmental programs, she was the lead planner for the Monon Greenways Trail, and she offered expert testimony before Council committees on numerous occasions; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Lori Miser for her decade of outstanding public service for the people of Indianapolis.

SECTION 2. The Council wishes Lori the very best in the future.

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. 752, 2000. The proposal, sponsored by Councillor SerVaas, approves a schedule of regular council meetings for the year 2001. Councillor Talley moved, seconded by Councillor Borst, to amend Proposal No. 752, 2000 by changing the sixth meeting date to April 16, 2000, the eleventh meeting date to July 23, 2000, and the eighteenth meeting date to November 26, 2000. The proposal was amended by a unanimous voice vote. Councillor Borst moved, seconded by Councillor Soards, to adopt the proposal as amended. Proposal No. 752, 2000, as amended, was adopted by a unanimous voice vote.

Proposal No. 752, 2000, as amended, was retitled COUNCIL RESOLUTION NO. 79, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2000

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2001.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 2001:

- | | |
|-------------------------------|---------------------------------|
| (1) Monday, January 08, 2001 | (11) Monday, July 23, 2001 |
| (2) Monday, January 22, 2001 | (12) Monday, August 06, 2001 |
| (3) Monday, February 05, 2001 | (13) Monday, August 27, 2001 |
| (4) Monday, February 26, 2001 | (14) Monday, September 10, 2001 |
| (5) Monday, March 19, 2001 | (15) Monday, October 01, 2001 |
| (6) Monday, April 16, 2001 | (16) Monday, October 22, 2001 |
| (7) Monday, April 30, 2001 | (17) Monday, November 12, 2001 |
| (8) Monday, May 21, 2001 | (18) Monday, November 26, 2001 |
| (9) Monday, June 04, 2001 | (19) Monday, December 17, 2001 |
| (10) Monday, June 25, 2001 | |

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 760, 2000. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes leaves of absence for employees to facilitate their involvement in their children's schools, and in other school volunteer activities"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 761, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes Auditor's Endorsement Fee on documents and an Endorsement Fee Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 762, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$58,327 in the 2000 Budget of the County Sheriff (State and Federal Grants Fund) to pay overtime for six officers assigned to the Indianapolis Metropolitan Gang Safe Streets Task Force, funded by an F.B.I. grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 763, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$10,150 in the 2000 Budget of the Marion County Superior Court (County Grants Fund) to appropriate a grant from the Indianapolis Bar Foundation for the Juror Appreciation Program and Teach the Teachers Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 764, 2000. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves a transfer of \$1,200,000 in the 2000 Budget of the Department of Public Safety, Police Division (Police Service District Fund) to pay the current costs of the Combined Dispatch Service provided by the Marion County Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 765, 2000. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves a transfer of \$600,000 in the 2000 Budget of the Department of Public Safety, Fire Division (Fire Service District Fund) to cover the increased cost of Fleet Services fuel and maintenance through the end of 2000"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 766, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for 56th Street and

Harrison Commerce Park Drive (District 5)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 767, 2000. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes a multi-way stop at Eagledale Drive, Thrush Drive, Milan Court, and Milan Street (District 8)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 768, 2000. Introduced by Councillor Douglas. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes parking restrictions on 11th Street from Beville Avenue to Rural Street (District 10)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 769, 2000. Introduced by Councillor Black. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes parking restrictions on 33rd Street near Pennsylvania Avenue (District 6)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 770, 2000. Introduced by Councillor Nytes. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes the removal of rush hour parking restrictions on the east side of Talbott Street from 28th Street to 30th Street, the addition of no parking anytime on the west side of Talbott Street, and the deletion of one-way traffic northbound on Talbott from 28th Street to Pennsylvania Street (District 22)”; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 771, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves a transfer of \$6,000 in the 2000 Budget of the Marion County Public Defender Agency (County General Fund) to cover the expenses resulting from an increase in appeals cases and an increase in death penalty costs”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 787, 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 \$50,000 to Indiana University for the purpose of purchasing equipment to be used to automate playback of programming on educational access channels of the franchised cable systems in Marion County”; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PUBLIC HEARING

President SerVaas passed the gavel to Vice President Borst.

PROPOSAL NO. 661, 2000. The proposal, sponsored by Councillor Hinkle, proposes to rezone 7.5 acres at 6600 East Westfield Boulevard in Washington Township, being in the C-S District, to the C-S classification to provide for a restaurant and tavern (2000-ZON-074) (District 2). President SerVaas stated that he called this proposal out for a public hearing on October 16, 2000. He said that the remonstrators and petitioners are continuing to meet and work out solutions. He moved, seconded by Councillor Cockrum, to postpone the public hearing on Proposal No. 661, 2000 until December 18, 2000. The public hearing on Proposal No. 661, 2000 was postponed by a unanimous voice vote.

Vice President Borst returned the gavel to President SerVaas.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Cockrum moved that Proposal No. 778, 2000, zoning petition 2000-ZON-099 (2000-DP-017) be scheduled for a public hearing on December 18, 2000. He said that there are several public safety concerns regarding this project. Councillor Talley seconded the motion, and Proposal No. 778, 2000 was scheduled for public hearing on December 18, 2000 by a unanimous voice vote and is identified as follows:

2000-ZON-099 (2000-DP-017)
8601 SOUTH RACEWAY ROAD (approximate address), INDIANAPOLIS.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19
CEDAR RUN LTD., INC., by Philip A. Nicely, requests a rezoning of 15.2 acres, being in the D-P District, to the D-P classification to permit use options previously approved under rezoning case 98-Z-85A or an additional 81-unit single-family residential option consisting of "Courtyard Homes". The proposed overall densities of the condominium and "Courtyard Home" development options in the Marion County portions of the development are 9.86 units per acre and 5.32 units per acre, respectively.

PROPOSAL NOS. 775-776, 2000, PROPOSAL NO. 777, 2000 and PROPOSAL NOS. 779-786, 2000. Introduced by Councillor Coughenour. Proposal Nos. 775-776, 2000, Proposal No. 777, 2000 and Proposal Nos. 779-786, 2000 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 21, 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. 201-211, 2000, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 201, 2000.
2000-ZON-124
8631 SOUTH U.S. 31 (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25
L.D. AND GRETHEL WHITAKER request a rezoning of 0.5 acre, being in the D-3 District, to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 202, 2000.
2000-ZON-132
8580 ALLISON POINTE BOULEVARD (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3
MBP INC., by Thomas Michael Quinn, requests a rezoning of 4.73 acres, being in the C-S District, to the C-S classification to expand the uses allowed to provide for the reuse of an existing restaurant building for a banquet hall and catering facility.

REZONING ORDINANCE NO. 203, 2000.
2000-ZON-136
833 NORTH COLLEGE AVENUE (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22
INDIANAPOLIS PUBLIC SCHOOLS, by Joseph M. Scimia, requests a rezoning of 0.188 acre, being in the C-1 (RC) and SU-9 (RC) Districts, to the SU-9 classification to provide for the expansion of a school bus parking lot.

REZONING ORDINANCE NO. 204, 2000.
2000-ZON-126 (2000-DP-021)
11618 EAST 38th STREET (approximate addresses), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

DEER RUN DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests a rezoning of 20 acres, being in the D-A District, to the D-P classification to provide for 80 single-family dwellings (four units/acre).

REZONING ORDINANCE NO. 205, 2000.

2000-ZON-137

2950 KENWOOD AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

SEAN MURRAY requests a rezoning of 0.07 acre, being in the D-8 District, to the SU-9 classification to provide for the construction of a fire station.

REZONING ORDINANCE NO. 206, 2000.

2000-ZON-139

3416 SOUTH POST ROAD (Approximate Address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

FAMILY MANAGEMENT CORP., by David A. Retherford, requests a rezoning of 0.833 acre, being in the C-6 District, to the C-S classification to provide for general office and C-6 uses in addition to the permitted uses allowed under petition 97-Z-17.

REZONING ORDINANCE NO. 207, 2000.

2000-ZON-140

4705 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #23

JOACHIM MACHINERY COMPANY, INC., by Thomas Michael Quinn, requests a rezoning of 3.0 acres, being in the C-1 District, to the C-S classification to provide for the construction of a 40,000-square foot temporary storage facility.

REZONING ORDINANCE NO. 208, 2000.

2000-ZON-141

3380 NORTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 11

CLARA DOUGLAS, by David Kingen, requests a rezoning of 0.3 acre, being in the D-5 District, to the C-3 classification to provide for commercial uses.

REZONING ORDINANCE NO. 209, 2000.

2000-ZON-142 (2000-DP-025)

2275 WEST 96th STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3

HEARTHVIEW RESIDENTIAL, LLC, by Thomas Michael Quinn, requests a rezoning of 19.628 acres, being in D-A District, to the D-P classification to provide for 176 condominium units (9 units/acre).

REZONING ORDINANCE NO. 210, 2000.

2000-ZON-143

7340, 7360, 7362, and 7364 EAST WASHINGTON STREET (approximate addresses), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

RDJW PROPERTIES, INC., by Douglas W. Pool, requests a rezoning of 0.96 acre, being in the D-3 District, to the C-1 classification to provide for commercial uses.

REZONING ORDINANCE NO. 211, 2000.

2000-ZON-853

1100 NORTH SENATE AVENUE AND 1102 NORTH MISSOURI STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 5.169 acres, being in the D-8 (RC) and I-3-U (RC) Districts, to the CBD-2 (RC) classification to provide for a parking lot.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 697, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 697, 2000 on November 15, 2000. The proposal, sponsored by Councillors Coonrod and Dowden, approves a transfer of \$65,000 from the County Election Board and a transfer of \$60,000 in the 2000 Budget of the Clerk of the Circuit Court (County General Fund) for the Clerk of the Circuit Court to pay increased expenses for postage and bank service fees. By an 8-0 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 8:02 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Tilford, for adoption. Proposal No. 697, 2000, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 697, 2000, as amended, was retitled FISCAL ORDINANCE NO. 149, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 149, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) in the County General Fund for purposes of the Clerk of the Circuit Court and reducing certain other appropriations for that court and the County Election Board.

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(d,e) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Clerk of the Circuit Court to pay for increased expenses for postage and bank service fees.

SECTION 2. The sum of One Hundred Twenty-five Thousand Dollars (\$125,000) 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>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	125,000
TOTAL INCREASE	125,000

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

<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	60,000
TOTAL DECREASE	60,000

<u>COUNTY ELECTION BOARD</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	65,000
TOTAL DECREASE	65,000

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

PROPOSAL NO. 704, 2000. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 704, 2000 on November 14, 2000. The proposal, sponsored by Councillor Cockrum, approves the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Massie moved, seconded by Councillor Cockrum, for adoption. Proposal No. 704, 2000 was adopted on the following roll call vote; viz:

26 YEAS: Bainbridge, Black, Borst, Boyd, Brens, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Soards, Talley, Tilford

0 NAYS:

3 NOT VOTING: Bradford, Gibson, Smith

Proposal No. 704, 2000 was retitled GENERAL RESOLUTION NO. 12, 2000, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 2000

A GENERAL RESOLUTION (i) approving the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues payable from taxes on real property located in the Airport Industrial Economic Development Allocation Area and the Airport Industrial Economic Development Expansion Allocation Area allocated and deposited into the Airport Industrial Economic Development Allocation Area Fund and the Airport Industrial Economic Development Expansion Allocation Area Fund, respectively, pursuant to the provisions of Indiana Code 36-7-15.1-26, and (ii) approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Airport Industrial Economic Development Area and the Airport Industrial Economic Development Expansion Area (collectively, the "Areas"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, the City of Indianapolis, Indiana (the "City"), has previously issued its (i) Limited Recourse Note, Series 1996 A, currently outstanding in the aggregate principal amount of \$5,000,000, for the purpose of paying the cost of acquisition, construction, reconstruction and relocation of certain roads and streets and related infrastructure, in or serving the Areas (the "Series 1996 A Note"), and (ii) Limited Recourse Note, Series 1998 A, currently outstanding in the aggregate principal amount of \$5,000,000, for the purpose of paying all or a portion of the costs of acquisition, construction, reconstruction and relocation of certain streets, water and sewer lines, drainage improvements and other infrastructure, in or serving the Areas (the "Series 1998 A Note" and, together with the Series 1996 A Note, the "Prior Notes"); and

WHEREAS, on October 18, 2000, the Commission adopted a Preliminary Bond Resolution (Resolution No. _____) (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana (the "District") in one or more series or issues, in an aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) (the "Bonds"), the principal of and interest on which are payable solely from taxes on real property located in the Airport Industrial Economic Development Allocation Area and the Airport Industrial Economic Development Expansion Allocation Area (collectively, the "Allocation Areas") allocated and deposited into the Airport Industrial Economic Development Allocation Area Fund and the Airport Industrial Economic Development Expansion Allocation Area Fund (collectively, the "Allocation Funds"), respectively, pursuant to the provisions of Indiana Code 36-7-15.1-26, for the purpose of procuring funds to be applied to the cost of (a) refunding the Prior Notes and (b) financing certain additional infrastructure improvements in or serving the Areas (the "Additional Improvements"), together with expenses associated therewith and expenses in connection with or on account of the issuance of the Bonds therefor (collectively, the "Project"); and

WHEREAS, the Bonds are currently anticipated to be sold to The Indianapolis Local Public Improvement Bond Bank pursuant to the provisions of Indiana Code 5-1.4; and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the Bonds should be approved; now therefore:

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

SECTION 1. The City-County Council does hereby approve (i) the Preliminary Bond Resolution and (ii) the issuance of the Bonds of the District in one or more series or issues payable solely from taxes on real property located in the Allocation Areas allocated and deposited into the respective Allocation Funds pursuant to the provisions of Indiana Code 36-7-15.1-26, in an aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000), which amount does not exceed the estimated costs of the Project.

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

PROPOSAL NO. 724, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 724, 2000 on November 15, 2000. The proposal, sponsored by Councillors Coonrod and Sanders, authorizes tax anticipation borrowing for the City for the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, and the Firemen's Pension Fund during the period from January 1, 2001, through December 31, 2001. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Sanders, for adoption. Proposal No. 724, 2000 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Black*

Proposal No. 724, 2000 was retitled FISCAL ORDINANCE NO. 150, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 150, 2000

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account and the Firemen's Pension Fund during the period January 1, 2001, through December 31, 2001, in anticipation of current taxes levied in the year 2000 and collectible in the year 2001 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 2001 distributions of Taxes levied for such Account, and the June and December 2001 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Thirty-Six Million Eight Hundred Forty-Six Thousand Six Hundred Ninety-Seven Dollars (\$36,846,697) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 2001 distributions of Taxes levied for such Fund, and the June and December 2001 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Five Million Two Hundred Seventy-Four Thousand Four Hundred Twenty-Six Dollars (\$5,274,426) and the interest cost of making temporary loans for the Police Pension Fund;

C. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 2001 distributions of Taxes levied for such Account, and the June and December 2001 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Twenty-Eight Million Nine Hundred Seventy-Three Thousand Eight Hundred Seventeen Dollars (\$28,973,817) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and

D. that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 2001 distributions of Taxes levied for such Fund, and the June and December 2001 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Four Million Six Hundred Forty-Nine Thousand Nine Hundred Fifty-Seven Dollars (\$4,649,957) and the interest cost of making temporary loans for the Firemen's Pension Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 2000 and in the course of collection for the year 2001; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Thirty-Six Million Eight Hundred Forty-Six Thousand Six Hundred Ninety-Seven Dollars (\$36,846,697) in anticipation of Taxes for the Account for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 2001 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 2001 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 2001 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Five Million Two Hundred Seventy-Four Thousand Four Hundred Twenty-Six Dollars (\$5,274,426) in anticipation of Taxes for the Fund for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 2001 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 2001 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 2001 Budget Fund No. 810, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty-Eight Million Nine Hundred Seventy-Three Thousand Eight Hundred Seventeen Dollars (\$28,973,817) in anticipation of Taxes for the Account for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 2001 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 2001 Budget Payments of Temporary

Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 2001 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Four Million Six Hundred Forty-Nine Thousand Nine Hundred Fifty-Seven Dollars (\$4,649,957) in anticipation of Taxes for the Fund for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund from the June and December 2001 distributions of Taxes for the Firemen's Pension Fund to the Firemen's Pension Fund, the 2001 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Firemen's Pension Fund 2001 Budget Fund No. 811, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 6. The Warrants for each Fund or Account may be issued in one series, designated Series 2001 Warrants ("Series 2001 Warrants") or in two series, designated Series 2001A and Series 2001B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2001 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2001 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 2001 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 30, 2001. All Series B Warrants and Series 2001 Warrants shall mature and be payable not later than December 31, 2001. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 6. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 6. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 5 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 7. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____

Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 2001
(_____ [FUND] [ACCOUNT])

On the ____ day of _____, 2001, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of ____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of ____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 2000, and payable in the [first installment] [second installment] for the year 2001 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ _____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ____ day of _____, 2000, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of 2000, payable in the [first installment] [second installment] for the year 2001, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this ____ day of _____, 2001.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

EXHIBIT A
(Advances)
[End of Warrant Form]

SECTION 8. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 9. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants, the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 725, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 725, 2000 on November 15, 2000. The proposal, sponsored by Councillors Coonrod and Sanders, authorizes tax anticipation borrowing for the County for the County General Fund and the County Family and Children Fund during the period from January 1, 2001, through December 31, 2001. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:09 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Sanders, for adoption. Proposal No. 725, 2000 was adopted on the following roll call vote; viz:

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

0 NAYS:

Proposal No. 725, 2000 was retitled FISCAL ORDINANCE NO. 151, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 151, 2000

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Family and Children's Fund ("Funds") during the period from January 1, 2001, through December 31, 2001, in anticipation of current taxes levied in the year 2000 and collectible in the year 2001 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Family and Children's Fund pending the receipt of Taxes actually levied in 2000 and in the process of collection in 2001, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Ninety-Three Million Two Hundred Ninety Thousand Three Hundred Sixty-Five Dollars (\$93,290,365) and the interest cost of making temporary loans for the County General Fund; and

B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Eighteen Million Four Hundred Fifty-One Thousand Thirty-Four Dollars (\$18,451,034) and the interest cost of making temporary loans for the County Family and Children's Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 2000 and in the course of collection for the year 2001; now, therefore:

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

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Ninety-Three Million Two Hundred Ninety Thousand Three Hundred Sixty-Five Dollars (\$93,290,365) in anticipation of Taxes for the Fund for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 2001 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Eighteen Million Four Hundred Fifty-One Thousand Thirty-Four Dollars (\$18,451,034) in anticipation of Taxes for the Fund for the year 2001, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 2001 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 2001 Warrants ("Series 2001 Warrants") or in two series, designated Series 2001A and Series 2001B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2001 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2001 for that Fund. The Series B Warrants for each Fund may be issued in an amount not to exceed the amount of the December 2001 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 2001. All Series B Warrants and Series 2001 Warrants shall mature and be payable not later than December 31, 2001. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof:

No. _____ Principal \$ _____

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 2001 _____
(_____ FUND)

On the ____ day of _____, 2001, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 2000, and payable from the

[first installment] [second installment] for the year 2001 ("Taxes"), which Taxes are now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ____ day of _____, 2000, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of 2000, payable in the [first installment] [second installment] for the year 2001, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this ____ day of _____, 2001.

THE BOARD OF COMMISSIONERS
OF MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A
(Advances)
[End of Warrant Form]

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 730, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 730, 2000 on November 14, 2000. The proposal approves an increase of \$170,000 in the 2000 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to provide funds for a comprehensive traffic safety program focusing on aggressive drivers in Marion County, funded by a grant from the National Highway Traffic Safety Administration. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 730, 2000 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, Knox, Langsford, McWhirter, Moriarty, Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford*
0 NAYS:
2 NOT VOTING: *Horseman, Massie*

Proposal No. 730, 2000 was retitled FISCAL ORDINANCE NO. 152, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 152, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Seventy Thousand Dollars (\$170,000) in the State and Federal Grants Fund for purposes of the County Auditor and 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 provide for a comprehensive traffic safety program focusing on aggressive drivers in Marion County

SECTION 2. The sum of One Hundred Seventy Thousand Dollars (\$170,000) 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>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - fringes	2,198
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	30,102
2. Supplies	750
3. Other Services and Charges	128,950
4. Capital Outlay	<u>8,000</u>
TOTAL INCREASE	170,000

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>170,000</u>
TOTAL REDUCTION	170,000

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.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 590, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 590, 2000 on October 24 and November 15, 2000. The proposal, sponsored by Councillors Soards, Gibson, and Brents, amends the Revised Code authorizing the operation of human-powered vehicles (pedal cabs) within the city and establishing requirements and regulations for such programs. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Soards stated that this proposal affords the City an opportunity to offer its citizens a new mode of transportation. He said that many amendments have been made to address issues that were raised at the public hearings, and the trial period has been shortened to one year with a 90-day review. He stated that among the groups that support this proposal are Indianapolis Downtown, Inc. (IDI) and the Indiana Convention and Visitors Association.

Councillor Gibson stated that it is not his intent to undermine the objections of public safety personnel, but he believes many changes have been made to this proposal and many concessions have been made that will address the major public safety concerns. He said that if there are true

public safety issues at the end of the 90-day review period, he will be the first person to request that the program be disbanded.

Councillor Talley said that he cannot support this proposal. He stated that the proposal is a way to subsidize a private company and is not an economic development effort. He said that the City support staff will be taxed further by having to register and monitor this program. He added that the traffic congestion and public safety issues are also of great concern.

Councillor Bradford stated that if the public safety personnel were so strongly opposed to this proposal, he would have thought they would be in attendance at this evening's meeting to voice their opposition. Councillor Talley stated that representatives appeared at both public hearings to voice their opposition.

Councillor Conley stated that he has seen these cabs in operation on the beach in Florida, but not operating in a City in conjunction with other traffic. He asked if any of the sponsors have been to other cities where these cabs are in operation. He stated that he is concerned about the traffic congestion, but that he believes in order to be a first class City, Indianapolis must be willing to try new ideas. Councillor Soards stated that he has seen the cabs in operation in San Diego, and the operators of these cabs are not only providing the service of travel, but are also ambassadors for the community. He stated that these cabs are not regular bicycles, but are vehicles that have 21 speeds and will be subject to all traffic laws that other vehicles are subject to. He said that he believes the cabs will actually alleviate the congestion by cutting back on the number of people using their personal vehicles for short trips. He stated this is an inexpensive way to get from one point to another in the Downtown area. He said that he has had several discussions with public safety personnel, and believes there is a genuine interest on their part to cooperate during the trial period. He said that a report is due to the Controller after the first 90 days of the program, and IDI will help monitor the cab's performance during this time.

Councillor Borst stated that he is going to support the proposal. He asked if these cabs will operate during all kinds of weather, and what the fee might be for these rides. Councillor Soards stated that the cabs will operate during all kinds of weather and a fee of approximately \$1 per block per passenger will be charged.

Councillor Coughenour asked how citizens can find these cabs for rides. Councillor Soards stated that one of the amendments prohibits the cabs from cruising during rush hours, but during all other times, the cabs will be travelling around in the Downtown area, and they can be hailed as one might hail a taxi. He said that some of the hotels have agreed to allow the cabs to locate on their properties to be easily available to guests. He said that phone numbers will also be posted around the Downtown area for people to call to receive rides. Councillor Coughenour stated that there is new language regarding the character and physical ability of drivers. She asked how this will be monitored. Councillor Soards said that the Licensing Division within the Controller's Office will monitor the drivers' capabilities, and this is standard language which is similar to that found in the ordinances that govern taxi drivers and horse-drawn carriage operators. Councillor Coughenour asked if the Controller's Office will be able to handle this added workload. Councillor Soards stated that the Controller testified in Committee that they could handle the additional workload with the current staff.

Councillor Sanders stated that the Committee which recommends passage of this proposal has denied additional horse-drawn carriages on several occasions, because of public safety and traffic congestion concerns. She said that she is opposed to the proposal because of the public safety

concerns. Councillor Soards stated that the cabs are very different and will operate much more efficiently than the horse-drawn carriages.

Councillor Talley stated that he could possibly support the proposal if an amendment could be made to indicate that if there are indeed public safety issues found at the end of the 90-day review period, then the program would be terminated. Councillor Soards stated that Councillor Talley has his verbal commitment, as well as the commitment made earlier by another co-sponsor, Councillor Gibson, to introduce language to terminate the program even before the 90-day review is completed if serious problems arise with the cabs.

President SerVaas stated that he has ridden in rickshaws, and it takes a lot of energy to run one of these types of modes of transportation. He said that he is supportive of the trial period to see if this mode of transportation will work for Indianapolis. He asked what the maximum number of cabs operating at one time will be. Councillor Soards stated that the trial period allows for 10 pedal cabs, and if that trial is successful, this number will be revisited.

Councillor Brents thanked Councillor Soards for introducing this proposal and for including her as a co-sponsor, as it affects her district. She said that this is a very unique idea that she believes will be good for convention business. She added that she believes the 90-day review period will show the program to be successful, and she urged fellow Councillors to support the proposal.

Councillor Short stated that he will abstain from voting on Proposal No. 590, 2000 to avoid the appearance of a conflict of interest.

Councillor Soards moved, seconded by Councillor Gibson, for adoption. Proposal No. 590, 2000, as amended, was adopted on the following roll call vote; viz:

23 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coomrod, Coughenour, Douglas, Gibson, Gray, Horseman, Knox, Langsford, McWhirter, Nytes, Schneider, SerVaas, Smith, Soards, Tilford

5 NAYS: Dowden, Massie, Moriarty Adams, Sanders, Talley

1 NOT VOTING: Short

Proposal No. 590, 2000, as amended, was retitled GENERAL ORDINANCE NO. 149, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 149, 2000

A GENERAL ORDINANCE amending the Revised Code to authorize the operation of human-powered vehicles (pedal cabs) within the city; to establish requirements and regulations for such programs; and for other purposes.

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" hereby is amended by the addition of a NEW Chapter 903, regarding the registration of pedal cabs operated as vehicles for hire, to read as follows:

Chapter 903

PEDAL CABS

Sec. 903-101. Definitions.

(a) When used in this chapter, *pedal cab* means a bicycle-type vehicle, either motorized, motor-assisted, or propelled solely by human muscular power, which is designed to:

- (1) Travel on three (3) or more wheels in contact with the ground; and,
- (2) Be operated by one (1) person for the purpose of transporting, for hire or as a contractual service, a maximum of three (3) persons riding on seats or a platform.

(b) When used in this chapter, the words *roadway*, *sidewalk*, and *street or highway* shall have the meanings ascribed to them in Section 441-101 of this Code.

Sec. 903-102. Registration required.

It shall be unlawful for a person to operate, or cause to be operated, a pedal cab on a street or highway in the city, unless the pedal cab first is registered with the controller as provided in this chapter.

Sec. 903-103. Registration information.

(a) Registrations shall be made on forms provided by the controller, and verified under oath by a person who owns or has a financial interest in the pedal cabs.

(b) In addition to the information required by Section 801-203 of this Code, the registrant shall provide the following information:

- (1) The number of pedal cabs to be operated, which shall not be less than four (4);
- (2) A description of each pedal cab, including the vehicle type, seating capacity, manufacturer, serial number, and a color photograph;
- (3) Whether the registrant has ever been convicted of a felony, if the registrant is an individual; whether any of the partners have been convicted of a felony, if the registrant is a partnership; and whether any of the officers or directors have been convicted of a felony, if the registrant is a corporation;
- (4) The name, age, address, and state motor vehicle operator's license number of each person who will act as an operator of a registered pedal cab, and whether such person has ever been convicted of a felony;
- (5) A schedule of rates and charges applicable to passengers; and,
- (6) Any other information deemed necessary by the controller.

Sec. 903-104. Public Liability.

(a) Before the issuance of a certificate of registration or renewal of a registration under this chapter, the registrant shall post or maintain with the controller either an indemnity bond or a policy of public liability insurance, approved as to form by the corporation counsel, and conditioned substantially that the registrant will indemnify and save harmless the city, its officers, agents and employees, from any and all loss, costs, damages or expenses, by reason of legal liability which may result from or arise out of the operation of a pedal cab for which a certificate of registration is issued, and that the registrant will pay any and all loss or damage that may be sustained by a person which results from or arises out of the illegal or negligent operation or maintenance of a pedal cab. The bond or policy of insurance shall be maintained in its original amount by the registrant at the registrant's expense at all times during the period for which the registration is in effect. In the event two (2) or more certificates of registration are issued to one (1) registrant, one (1) such bond or policy of insurance may be furnished to cover two (2) or more pedal cabs, and each bond or policy shall be of a type where coverage shall be restored automatically after the occurrence of any accident or event from which liability may thereafter accrue.

(b) The limit of liability upon any bond or policy posted under this section in no event shall be less than one million dollars (\$1,000,000.00) for death or injury of one (1) person, two million dollars

(\$2,000,000.00) for total liability for death or personal injury arising out of any one (1) event or casualty, and fifty thousand dollars (\$50,000.00) for property damage.

(c) Any bond posted under this section shall be accompanied by good and sufficient sureties approved by the controller.

(d) The controller shall notify the registrant under this chapter of any claim of which the city has notice, where such claim arises from the operation or maintenance of any pedal cab.

(e) The failure to maintain the bond or policy required under this section throughout the entire term of a registration shall constitute a violation of this Code.

Sec. 903-105. Qualification of operators.

(a) Before the issuance of a certificate of registration or renewal of a registration under this chapter, the controller shall first investigate the character of each person identified as an operator of a pedal cab. Each such person shall demonstrate to the controller that he or she is:

- (1) Able to speak, read and write the English language;
- (2) The holder of a valid motor vehicle operator's license issued by the state;
- (3) Free of defective vision, defective hearing, and any other infirmities that would render him or her unable to operate a pedal cab in a safe manner; and,
- (4) Free of alcohol or drug addiction.

The controller may require such person to demonstrate the ability to operate a pedal cab, and, by test or otherwise, his or her familiarity with the requirements of this chapter.

(b) During the term of the registration, the registrant shall give the controller written notice of a person proposed to act as an operator, but who was not listed on the registration form. The notice shall include the same information as originally required, and such person shall be qualified under this section before operating a pedal cab in the city.

Sec. 903-106. Registration certificate, term and renewal.

(a) Upon receipt of a completed registration form, the filing of a bond or insurance under Section 903-104 of this chapter, and the qualification of the registrant's operators under Section 903-105 of this chapter, the controller shall issue either a certificate of registration for each registered pedal cab, or a written denial of the registration.

(b) A registration under this chapter shall be valid for a period of one (1) year, with an expiration date of December 31; however, if a registrant for any reason fails to operate a registered pedal cab within one hundred and twenty (120) days after the certificate of registration is issued, then such registration shall terminate at that time.

(c) If the controller finds that the registrant remains qualified and has operated as required by this chapter, the controller shall renew the registration automatically and without application for renewal by the registrant, unless at the time of renewal, the registration:

- (1) Has been revoked or suspended; or,
- (2) Is the subject of administrative or judicial proceedings which have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings.

Sec. 903-107. Condition and appearance; equipment.

(a) A pedal cab at all times shall be maintained in a reasonably clean condition, and free of the following: litter and debris; dirt, grease, rust and corrosion in visible metal areas; graffiti; and, chipped, faded, cracked and peeling paint.

(b) A pedal cab shall be maintained in a reasonably safe condition both inside the passenger seating area, as well as externally, so as not to injure or damage the person, clothing or possessions of the passenger. A pedal cab shall be free of cracked, dented or broken components.

(c) Both the right and left sides of a pedal cab shall bear a sign, plainly written in letters not more than three inches (3") in height, containing the full name and telephone number of the registrant. Also, a copy of the certificate of registration shall be displayed in the pedal cab.

(d) A pedal cab shall be equipped with hydraulic or mechanical disc brakes, a hood to protect passengers from the elements, a battery-operated or generator-operated headlight and taillight, both front and rear turn signals, spoke reflectors placed on each wheel, and tape-type reflectors showing the front and back width of the pedal cab.

(e) A person shall not operate a pedal cab unless he or she is dressed in appropriate attire including but not limited to the following: shoes, other than sandals, which cover the foot; pants or shorts, not shorter than mid-thigh in length, which are not fabricated of denim material; and, shirts or blouses, other than T-shirts, which have sleeves, but need not have collars, and which, if they are finished at the bottom, must be tucked in to the pants or shorts. The operator's attire shall not be visibly torn or soiled.

(f) It shall be unlawful for a registrant under this chapter to cause, suffer, or allow the operation, on a street or highway in the city, of a pedal cab which does not conform to the requirements of this section, or which is operated by a person not in appropriate attire.

Sec. 903-108. Manner of operation.

(a) A pedal cab shall not be operated on a sidewalk.

(b) A pedal cab operator shall not solicit patronage in a loud tone of voice or in any manner so as to annoy or obstruct the movement of a person, nor shall an operator follow a person for the purpose of soliciting patronage.

(c) A pedal cab operator shall not at anytime pick up or discharge passengers in the roadway unless the pedal cab and passengers are in the curb lane and shall not pick up or discharge passengers any where in a roadway between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 6:00 p.m.

(d) Occupancy of a pedal cab shall not exceed the rated seating capacity of the vehicle.

(e) A pedal cab operator shall not allow a passenger to ride on any part of the pedal cab other than by sitting on the seats or platforms designed for such purpose.

(f) Operators are prohibited from smoking while carrying passengers.

(g) Each operator shall carry an identification card or be wearing some type of visible identification at all time when operating a pedal cab.

(h) Operators shall carry rate cards and exhibit them on demand. Rate cards shall also be affixed to the pedal cab in a prominent location so as to advise prospective clientele of the rates and fares. Rate cards shall bear the name and business address of the registrant, and a complete schedule of rates and fares, which shall be the same as those on file with the controller. Registrants shall give the controller written notice at least ten (10) days prior to any change in the rates and fares.

(i) A pedal cab shall not be operated with an attached trailer, or be used to tow another vehicle of any type.

(j) The operation of pedal cabs upon any public street and at any time may be prohibited by the director of the city department of public safety when such operation would be inconsistent with other special events or public safety requirements, by giving forty-eight (48) hours' advance written notice of such prohibition.

(k) A pedal cab operator shall obey all applicable state and local traffic and parking laws, ordinances and regulations.

(l) It shall be unlawful for a person to operate a pedal cab in violation of the provisions of this section.

Sec. 903-109. Operation in Regional Center limited.

(a) During the calendar year 2001, the operation of pedal cabs in the Regional Center, as the same is established in Sec. 735-600 of this Code, shall be limited, as follows:

- (1) The controller shall select one (1) registrant who shall be the only registrant authorized to operate in the Regional Center in the year 2001. The selected registrant shall be, in the discretionary judgment of the controller, the best qualified to operate a pedal cab business in the Regional Center, as demonstrated by the registration information, and/or proposals, provided to the controller.
- (2) The selected registrant shall operate a maximum of ten (10) pedal cabs in the Regional Center in the year 2001, and shall be subject to all other requirements and enforcement procedures provided in the proposal.

(b) Ninety (90) days after the registrant has commenced operation in the Regional Center, the controller shall initiate a review of the trial program, drawing information from the registrant, the registrant's clientele, the Indianapolis Police Department, Indianapolis Downtown, Inc., and such other persons and organizations as the controller deems appropriate. The controller may substitute a new trial program registrant for a registrant who withdraws from the trial program or whose registration has been suspended or revoked.

(c) Prior to November 1, 2001, the controller shall provide a written report on the trial program to the president of the city-county council, the trial program registrant, the director of the department of public safety, and relevant city officials and departments. The written report shall reflect information obtained from various sources that have participated in or been affected by the pedal cab trial program, and shall contain information including but not limited to the following:

- (1) Whether the pedal cabs were involved in or caused any accidents, or any other safety hazards;
 - (2) Whether complaints regarding the pedal cabs were generated from passengers;
 - (3) Whether complaints regarding the pedal cabs were generated from local businesses;
 - (4) Whether complaints regarding the pedal cabs were generated from the department of public safety;
 - (5) Whether traffic flow was obstructed due to the operation of pedal cabs;
 - (6) Whether the pedal cab registrant complied with the rules and regulations set forth in this ordinance; and,
 - (7) Any recommendations the controller wishes to propose regarding the regulation of pedal cabs in the Regional Center in 2002 and thereafter.
- (d) This section 903-108 shall expire on December 31, 2001.

Sec. 903-110. Enforcement and penalties.

In addition to the controller's hearings and any penalties the controller may impose under Chapter 801 of this Code, a person's first violation of any provision of this chapter in a twelve-month period, including but not limited to the operation of a pedal cab:

- (1) Which is not registered, or not in compliance with the requirements of Sections 903-107 and 903-108 of this chapter; and,
- (2) By an operator who is not qualified under Section 903-105 of this chapter;

shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of this Code. A person's second and subsequent violations in the twelve-month period are subject to the enforcement procedures and penalties provided in Section 103-3 of this Code.

SECTION 2. Section 103-52 of the "Revised Code of the Consolidated City and County," regarding the schedule of code provisions and penalties which may be paid through the ordinance violations bureau, hereby is amended by the addition of the language which is underscored, to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load - first offense in calendar year	50.00
391-302	Unlawful noise - first offense in calendar year	50.00
391-303	Noisy house - first offense in calendar year	50.00
407-103	Loitering - first offense in calendar year	50.00
431-108	Parking prohibited for street repairs and cleaning	12.50
431-314	Premises address violation - second offense in calendar year	25.00
431-603	Operation of bicycle without required equipment	12.50
431-604	Unlawful operation of bicycle	12.50
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	12.50
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	12.50
441-407	Display of unauthorized traffic controls	12.50
441-408	Interference with traffic control devices	12.50
441-503	Consumption or possession by operator of motor vehicle first offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages first offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large - first offense in twelve month period	50.00
611-403	Unlawful loading or unloading of private bus	12.50
611-501	Unlawful stopping of food vendor vehicle	12.50
611-502	Violation of noise restriction on food vendors	12.50
611-504	Failure of food vending vehicle to display required warnings	12.50
611-506	Unlawful vending from other than curb side of vending vehicle	12.50
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	12.50
621-108	Unlawful manner of parking	12.50
621-109	No required lights on certain parked vehicles	12.50
621-110	Violation of handicapped parking restrictions	45.00
621-111	Unlawful parking in handicapped parking meter zone	45.00
621-112	Unloading perpendicular to curb without permit	12.50
621-113	Unlawful use of bus stops and taxicab stands	12.50
621-114	Unlawful use of passenger and loading zones	12.50
621-115	Unlawful parking adjacent to certain buildings	12.50
621-116	Unlawful parking for display for sale or advertising	12.50
621-117	Unlawful parking for more than six (6) hours	12.50
621-118	Unlawful parking of commercial vehicles at night	12.50
621-119	Unlawful parking in alleys or on certain narrow streets	12.50
621-120	Unlawful parking in designated special parking areas	12.50
621-121	Parking on certain streets where prohibited at all times	12.50
621-122	Stopping, standing or parking on streets where prohibited at all times	12.50
621-123	Parking on certain streets where prohibited at all times on certain days	12.50
621-124	Parking on certain streets when prohibited at certain times on certain days	12.50
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m.-9:00 a.m., 7:00 a.m.-9:00 a.m., 3:00 p.m.-6:00 p.m., 4:00 p.m.-6:00 p.m.	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	12.50
621-203	Parking in excess of time permitted in parking meter zone	12.50
621-210	Parking in meter zone when temporarily prohibited	12.50
621-216	Overtime parking in metered parking space	12.50
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	12.50
621-405	Unlawful parking in certain mailbox zones	12.50
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center - non-permitted use	25.00

621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	45.00
621-502	Unlawful obstruction of fire lane	25.00
631-102	In park after hours-first offense in calendar year	50.00
631-109	Alcohol in park-first offense in calendar year	50.00
645-528	Skateboard or similar play device - first offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00
811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00
841-1	Operation of unregistered bicycle	7.50
Ch. 895	Horse-drawn carriage violation - first offense in twelve month period	100.00
Ch. 903	Pedal cab violation - first offense in twelve month period	100.00
Appendix D, Part 26, sec. 6	Civil zoning violations-first offense in calendar year	50.00

SECTION 3. 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 4. 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 and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 696, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 696, 2000 on November 15, 2000. The proposal increases the salaries of certain elected county officers. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coonrod stated that this proposal was initiated because some County official salaries had been evaluated and raised over the years, while others had not. He stated that because the terms of these offices begin and end at different times, there was no cohesive way of evaluating these salaries and making them comparable. He said that this proposal would raise these salaries to levels that would achieve parity, and the salaries could then be evaluated on a more standard practice in the future.

Councillor Black stated that approximately two months ago, when the Mayor proposed to increase the salaries of his staff, Councillor Coonrod opposed this because it was questionable. He said that this proposal is no different than that proposal, and he believes it is out of order and he will vote against it. Councillor Coonrod said that while he may have questioned the size of the raises, he did not oppose the increases in salaries for the Mayor's staff. He said that he believes reasonable salaries should be offered for positions such as these in order to attract qualified, competent individuals.

Councillor Schneider stated that he voted against the proposal in Committee. He said that his vote is no indictment of those individuals who may indeed deserve these raises, but that he voted

against it because it is a mid-term pay increase. This sends a wrong message to the voters and increases cynicism and skepticism in government leadership.

Councillor Sanders stated that she also opposed the proposal in Committee because it is a mid-term increase. She added that she believes that a true classification review is needed by qualified individuals to study these salaries and offer recommendations.

Councillor Borst stated that he agrees a study is needed, but that this is a one-time fix, and therefore he will support the proposal, with the caveat that the system be evaluated so that this does not happen again.

Councillor Talley agreed with Councillor Borst and said that the fact that this proposal is occurring mid-term is not the fault of those individuals receiving the salary increases.

Councillor Nytes stated that she has a great deal of concern about doing things in order and in the normal process, but she believes that there was an omission two years ago, and this is an opportunity for the Council to correct that. She said that she has encouraged the County to find the funds to proceed with a salary study as soon as possible, preferably before the next budget process.

Councillor Black stated that he is not opposed to raises for individuals who deserve them, but he believes the people in the lower salary ranges are not making enough money to live on, and he would rather see those salaries raised than those of the higher echelon.

Councillor Talley stated that the Council does need to evaluate the salaries of the support staff for these County agencies, and he is committed to insuring that this gets done.

Councillor Massie said that he served on the Salary Study Sub-Committee of this Council, and there was an increase in the lower level salary range as a result of this study. He stated that he would encourage the Council to evaluate these salary ranges on both ends to compete in the market, while being responsible with the taxpayers' dollars.

Councillor Coonrod moved, seconded by Councillor Talley, for adoption. Proposal No. 696, 2000 was adopted on the following roll call vote; viz:

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

Proposal No. 696, 2000 was retitled FISCAL ORDINANCE NO. 153, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 153, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) by increasing the salaries of certain elected county officers.

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

SECTION 1. Pursuant to IC 36-3-6-2, Article Five, Section 5.01(b)(1) of the City-County Annual Budget for 2001 be, and is hereby, amended by deleting the language stricken through and inserting the language underlined as follows:

(b) Elected County Officers. Effective January 1, 2001, the annual compensation of the elected county officers for the calendar year 2001 and thereafter until modified shall be as follows:

(1) an annual salary of:

a. County Assessor	<u>\$62,500</u>	<u>\$57,386</u>
b. County Auditor	<u>\$66,667</u>	<u>\$62,270</u>
c. County Clerk	<u>\$66,667</u>	<u>\$62,270</u>
d. County Coroner		\$34,265
e. County Recorder	<u>\$62,500</u>	<u>\$4,009</u>
f. County Surveyor		\$51,411
g. County Treasurer		\$66,667
h. Center Township Assessor	<u>\$62,500</u>	<u>\$57,386</u>
i. Decatur Township Assessor	<u>\$52,314</u>	<u>\$50,586</u>
j. Franklin Township Assessor	<u>\$52,314</u>	<u>\$50,586</u>
k. Lawrence Township Assessor	<u>\$57,870</u>	<u>\$56,424</u>
l. Perry Township Assessor	<u>\$57,870</u>	<u>\$56,424</u>
m. Pike Township Assessor	<u>\$57,870</u>	<u>\$56,424</u>
n. Warren Township Assessor	<u>\$57,870</u>	<u>\$56,424</u>
o. Washington Township Assessor	<u>\$61,574</u>	<u>\$57,386</u>
p. Wayne Township Assessor	<u>\$61,574</u>	<u>\$57,386</u>

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

PROPOSAL NO. 727, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 727, 2000 on November 14, 2000. The proposal approves certain public purpose grants totaling \$750,000 to various organizations and entities for calendar year 2001 from the Marion County Drug Free Community Fund. By a 7-0 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. 727, 2000 was adopted on the following roll call vote; viz:

22 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Knox, Langsford, Massie, McWhirter, Short, Smith, Soards, Tiford*

0 NAYS:

7 NOT VOTING: *Horseman, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Talley*

Proposal No. 727, 2000 was retitled GENERAL RESOLUTION NO. 13, 2000, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 2000

A GENERAL RESOLUTION approving certain public purpose grants totaling Seven Hundred Fifty Thousand Dollars (\$750,000) from the Drug Free Community Fund.

WHEREAS, the City-County Council appropriated the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) in Section 3.02(k)(10) of City-County Fiscal Ordinance No. 105, 2000, the 2001 Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("the Budget Ordinance") for funding grants to be made from the Drug Free Community Fund, and provided that such grants shall be considered Public Purpose Local Grants; and

WHEREAS, IC 5-2-11-5 and Section 4.01(c) of the Budget Ordinance require that sums appropriated therein for Public Purpose Local Grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of each grant recipient; now, therefore:

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

SECTION 1. The following grants and administrative expenses totaling Seven Hundred Fifty Thousand Dollars (\$750,000) from the Drug Free Community Fund are approved in the following amounts and projects for the following organizations:

DRUG FREE COMMUNITY FUND 2001 ANNUAL GRANT AWARDS		
ORGANIZATION	PROJECT	AMOUNT
I. PREVENTION/EDUCATION		
I.P.D.	Healthy Reasons to Say No	\$ 13,492
I.P.S.	Successful Alternatives in Prevention	18,860
Youth as Resources	Teens for Healthy Choices	28,239
Holy Cross Church	Life Skills Program	700
M.C.S.D.	McGruffletter	40,000
Girls, Inc.	Community Center Program	44,428
M.S.D. of Perry Township	Martindale/Brightwood Summer Day Camp	44,861
Drug-Free Marion County	Youth Advisory Board	20,177
Community Addiction Services, Inc.	HIFI Program	30,554
St. Florian Center, Inc.	St. Florian Center Leadership Development	19,856
	Subtotal	\$261,167
II. TREATMENT		
Salvation Army Harbor Light Center	Drug Free Community	\$67,760
Reach for Youth, Inc.	ATOD Treatment/Intervention Program	40,946
Gallahue Mental Health Services	Assisted Living While in Treatment	42,306
Marion County Superior Court, Juvenile Division	Juvenile Drug Treatment Court	42,600
Marion County Community Corrections Agency	Life Effectiveness Training	30,000
	Subtotal	\$223,612
III. CRIMINAL JUSTICE		
Marion Superior Court	Drug Treatment Diversion	\$ 81,200
Marion County Prosecutor	Nuisance Abatement Program	67,250
Marion County Justice Agency	Community Justice Center Conditional Release	32,114
Community Addiction Services, Inc.	Bio-Psycho-Social Interview and Assessment	6,994
	Subtotal	\$187,558
IV. MISCELLANEOUS/ADMINISTRATION		
Local Coordinating Council	Administrative Expenses	\$77,663
	Subtotal	\$77,663
	TOTAL	\$750,000

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

PROPOSAL NO. 728, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 728, 2000 on November 14, 2000. The proposal establishes a Conditional Release Fee and Fund that would replace the existing Pre-Trial Release Fee and 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 Borst, for adoption. Proposal No. 728, 2000 was adopted on the following roll call vote; viz:

25 YEAS: Bainbridge, Black, Borst, Boyd, Brens, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, McWhirter, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Smith, Soards, Tilford
0 NAYS:

4 NOT VOTING: Bradford, Massie, Schneider, Talley

Proposal No. 728, 2000 was retitled GENERAL ORDINANCE NO. 150, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 150, 2000

A GENERAL ORDINANCE amending Secs. 131-105, 135-231, and 283-225 of the Revised Code concerning the Pre-Trial Release fee and fund.

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

SECTION I. Secs. 131-105, 135-231, and 283-225 of the "Revised Code of the Consolidated City and County" be, and are, hereby amended by deleting the text stricken through and inserting the underlined text to read as follows:

Sec. 131-105. ~~Pre-trial~~ Conditional release fee.

A person arrested for a crime, who is released pre-trial on terms and conditions other than the ten (10) percent system of release, shall pay an administrative fee of ~~twenty dollars (\$20.00)~~ to the clerk of Marion County. For a person charged with a felony, the fee shall be one hundred dollars (\$100.00), and for a person charged with a misdemeanor, the fee shall be fifty (\$50.00) dollars. The clerk shall forward each month the administrative fees collected to the auditor of Marion County. The auditor shall deposit such fees in a special revenue fund to be known as the "~~pre-trial conditional~~ conditional release fund," to be appropriated for expenditures for the enhancement of ~~pre-trial and public defender~~ conditional release services.

DIVISION 3. ~~PRE-TRIAL~~ CONDITIONAL RELEASE FUND

Sec. 135-231. ~~Pre-trial~~ Conditional release fund.

There is hereby established a special nonreverting county fund for the county justice agency, to be designated the "~~pre-trial conditional~~ conditional release fund." The auditor shall deposit in such fund the ~~pre-trial conditional~~ conditional release fees.

Sec. 283-225. Additional duties and responsibilities.

The board shall be charged with the following duties and responsibilities:

- (1) To confer with the appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving programs and policies.
- (2) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the MCJA.
- (3) To advise law enforcement and the justice agencies on improved policies and programs.
- (4) To determine the means of financing any justice related information services, subject to the approval of the council where applicable.
- (5) To review and approve all budgets, contracts and expenditures for services, equipment purchases, rents or leases, consultants, management or technical personnel, studies, programs and materials or supplies for the subject agencies' common database justice information system.
- (6) To conduct studies and evaluations of any and all information needs and current systems operating in the subject agencies.
- (7) To contract for technical and specialized assistance in administering its duties.
- (8) To require annual plans and resources inventories of the subject agencies and submit such plans for inclusion in the annual city/county master plan for information services.
- (9) To develop, maintain and communicate information services policy for the subject agencies.

- (10) To submit job descriptions and salary levels consistent with ISA and the standards established by the auditor's office.
- (11) To approve the employment or retention by personal services contract a director for justice systems who shall have such duties as directed herein.
- (12) To promulgate rules and regulations for the efficient administration of its policies and procedures for the subject agencies.
- (13) To establish requirements for standards for privacy of personally identifiable confidential information and security of systems and records of subject agencies.
- (14) To delegate any functions to the director, subject to review by the board.
- (15) To hire personnel, who serve at the director's pleasure according to law, to carry out its duties.
- (16) To undertake such other studies or programs related to or involving the subject agencies as may be adopted by the board or assigned to the board by the city-county council.
- (17) To contract for assistance in the collection of money owed to the subject agencies and to add the costs of collection, if amount owed exceeds twenty-five dollars (\$25.00) and became delinquent after July, 1986, to the amount owed and collected.
- (18) To administer the pretrial services division and its subdivisions, including the lockup services, conditional release office, failure to appear office, and office of the jail ombudsman.
- (19) To administer the law enforcement fund and to have authority over expenditures from the fund.
- (20) To administer the ~~pretrial~~ conditional release fund and have authority over expenditures from the fund.

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 731 and 732, 2000 on November 14, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 731, 2000. The proposal approves a transfer of \$22,000 in the 2000 Budget of the Marion County Superior Court (County General Fund) to pay for programming in the JUSTIS System for probation bookkeeping and other enhancements. PROPOSAL NO. 732, 2000. The proposal approves a transfer of \$55,000 in the 2000 Budget of the Marion County Superior Court (Supplemental Adult Probation Fees Fund) to pay for programming in the JUSTIS System for probation bookkeeping and other enhancements. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Massie, for adoption. Proposal Nos. 731 and 732, 2000 were adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Black, Borst, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty, Adams, Nytes, Sanders, SerVaas, Short, Smith, Soards, Tilford*

0 NAYS:

4 NOT VOTING: *Boyd, Coonrod, Schneider, Talley*

Proposal No. 731, 2000 was retitled FISCAL ORDINANCE NO. 154, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 154, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the County General Fund for purposes of the Marion County Superior Court and reducing certain other appropriations for that court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for programming in the JUSTIS System for probation bookkeeping and other enhancements.

SECTION 2. The sum of Twenty-two Thousand Dollars (\$22,000) 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>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	22,000
TOTAL INCREASE	22,000

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	22,000
TOTAL DECREASE	22,000

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

Proposal No. 732, 2000 was retitled FISCAL ORDINANCE NO. 155, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 155, 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-five Thousand Dollars (\$55,000) in the Supplemental Adult Probation Fees Fund for purposes of Marion County Superior Court and reducing certain other appropriations for that court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for programming in the JUSTIS System for probation bookkeeping and other enhancements.

SECTION 2. The sum of Fifty-five Thousand Dollars (\$55,000) 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>MARION COUNTY SUPERIOR COURT</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
3. Other Services and Charges	55,000
TOTAL INCREASE	55,000

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
2. Supplies	55,000
TOTAL DECREASE	55,000

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

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

President SerVaas convened the Police Special Service District Council.

PROPOSAL NO. 733, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 733, 2000 on November 14, 2000. The proposal, sponsored by Councillors Dowden and Talley, approves an increase of \$126,143 in the 2000 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase computers, radio equipment, and law enforcement vehicles, funded by federal grants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 9:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 733, 2000 was adopted on the following roll call vote; viz:

26 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty, Adams, Nytes, Sanders, SerVaas, Short, Smith, Soards, Tilford

0 NAYS:

3 NOT VOTING: Coonrod, Schneider, Talley

Proposal No. 733, 2000 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2000, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2000

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 2000 (Police Special Service District Fiscal Ordinance No. 4, 1999) appropriating an additional One Hundred Twenty-six Thousand One Hundred Forty-three Dollars (\$126,143) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to purchase computers, radio equipment, and law enforcement vehicles.

SECTION 2. The sum of One Hundred Twenty-six Thousand One Hundred Forty-three Dollars (\$126,143) 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:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

4. Capital Outlay

TOTAL INCREASE

FEDERAL GRANTS FUND

126,143

126,143

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

Unappropriated and Unencumbered

Federal Grants Fund

TOTAL REDUCTION

FEDERAL GRANTS FUND

126,143

126,143

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.

President SerVaas reconvened the City-County Council.

NEW BUSINESS

General Counsel Robert Elrod read the following:

Mr. President:

This Council will hold a public hearing on Rezoning Petition 2000-ZON-099 (2000-DP-017), Council Proposal No. 778, 2000, at its next regular meeting on December 18, 2000, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 15.2 acres at 8601 South Raceway Road from D-P District to D-P classification to permit use options previously approved under rezoning case 98-Z-85A or an additional 81-unit single-family residential option consisting of "Courtyard Homes."

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by Council.

Councillor Cockrum encouraged Councillors to respond to an invitation from County Clerk Sarah Taylor to attend demonstrations of new voting system software offered on December 12 and 17, 2000.

Councillor Boyd stated that the minority caucus will have a brief meeting following the adjournment of Council in Room 260.

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 Gray in memory of Bernice C. Kent and John White; and
- (2) Councillor Boyd in memory of George Merritt Anderson, Sr., Carolyn Torbit, and Rev. Russell Youngblood.

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 Bernice C. Kent, John White, George Merritt Anderson, Sr., Carolyn Torbit, and Rev. Russell Youngblood. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:09 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 27th day of November, 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)