

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

**REGULAR MEETINGS
MONDAY, OCTOBER 22, 2001**

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 7:15 p.m. on Monday, October 22, 2001, with President SerVaas presiding.

Councillor Brents introduced Reverend Dr. Philip L. Showe, St. John Missionary Baptist Church, who led the opening prayer. Councillor Brents then invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Talley recognized Lawrence Township Board member Imogene Hymes. Councillor Cockrum introduced Boy Scout Troop 894 from the West Newton United Methodist Church working on their Citizenship and Community Badge. Councillor Horseman recognized Troop 894 member Alex Terrell, who is the son of a co-worker. Councillor Langsford introduced fellow firefighters Dan Feeney, Chief Nancy Rasmussen, and Tom Miller, president of Local 416 of the Indianapolis Professional Firefighter's Union. Councillor Soards recognized former Councillor, State Representative Phillip Hinkle. Councillor Gibson introduced Dr. Mary Bush, a member of the Indianapolis Public School board.

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, October 22, 2001, 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

October 2, 2001

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, October 5, 2001, a copy of a Notice of Public Hearing on Proposal Nos. 524, 525, 527, and 528, 2001, said hearing to be held on Monday, October 22, 2001, at 7:00 p.m. in the City-County Building.

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

October 10, 2001

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. 88, 2001 - approves an increase of \$99,112 in the 2001 Budgets for the County Auditor and Community Corrections (Home Detention Fund) to fund personnel positions, home detention equipment and office supplies for the first half of fiscal year 2001-2002, financed by fund balances

FISCAL ORDINANCE NO. 121, 2001 - approves an increase of \$22,792 in the 2001 Budget of Community Corrections (Home Detention User Fee Fund) to lease office space in the Forest Manor Multi-Service Center to be used to house three home detention officers who will supervise offenders within the area, funded by a reduction in the fund balance

FISCAL ORDINANCE NO. 122, 2001 - approves an increase of \$52,500 in the 2001 Budget of the Marion County Justice Agency (Law Enforcement Equitable Share Fund) to fund the purchase of laptop computers for the Marion County Sheriff's Department, funded by the Sheriff's portion of the Law Enforcement Equitable Share Fund

FISCAL ORDINANCE NO. 123, 2001 - approves an increase of \$23,625 in the 2001 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to fund the Pathway to Recovery program, funded by a grant from Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 124, 2001 - approves an increase of \$28,357 in the 2001 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to assist the Julian Center in funding the Respite Care Program for Children, funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 126, 2001 - approves a reappropriation of \$90,976 in the 2001 Budget of the Department of Public Safety, Emergency Management Planning Division (Federal Grants Fund) for purchase of a Mobile Level Lab trailer which will be used in response to incidents involving weapons of

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mass destruction and which will house equipment associated with the city's domestic terrorism response program, financed by a federal grant

FISCAL ORDINANCE NO. 129, 2001 - approves a transfer of \$36,500 in the 2001 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to purchase food and other supplies for the animals cared for at the city's animal shelter facility

SPECIAL RESOLUTION NO. 68, 2001 - condemns the September 11th terrorist attack upon America and celebrates the nation's unity

SPECIAL RESOLUTION NO. 69, 2001 - recognizes the Marion County Urban Search and Rescue Team for its outstanding service at the New York City disaster site

SPECIAL RESOLUTION NO. 70, 2001 - expresses concern and best wishes for Pike Township fireman Steven Tardiff for his injuries suffered while on search and rescue work at the New York World Trade Center disaster

SPECIAL RESOLUTION NO. 71, 2001 - determines the need to lease a building at 521 West McCarty Street and a nearby parking lot at 734 South West Street for personnel of the Marion County Coroner

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 Journals of September 10 and October 1, 2001. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 577, 2001. The proposal, sponsored by Councillor Talley, recognizes Daughter Lydia Y. Andrews, Illustrious Commandress of Persian Court No. 24. Councillor Talley read the proposal and presented Ms. Andrews with a copy of the document and a Council pin. Ms. Andrews thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Boyd, for adoption. Proposal No. 577, 2001 was adopted by a unanimous voice vote.

Proposal No. 577, 2001 was retitled SPECIAL RESOLUTION NO. 72, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 2001

A SPECIAL RESOLUTION recognizing Daughter Lydia Y. Andrews, Illustrious Commandress of Persian Court No. 24.

WHEREAS, on Saturday, October 27, 2001, the Daughters of Persian Court No. 24, Daughters of Isis, Auxiliary of the Ancient Egyptian Arabic Order Nobles Mystic Shrine of North and South America and its Jurisdictions, Inc., will honor Daughter Lydia Y. Andrews, the Illustrious Commandress of Persian Court No. 24; and

WHEREAS, the Daughters of Isis is a non-profit and charitable organization that gives scholarships to deserving students, clothing to children, and food for the poor in both our community and around the world; and

WHEREAS, Illustrious Commandress Daughter Lydia Y. Andrews has lived and worked in the Indianapolis community for over thirty years, and has given much to the community and to Persian Court No. 24; and

WHEREAS, on October 27th, friends and well-wishers will recognize Daughter Andrews' lifetime achievement and service to others during a most memorable night at the Quality Inn on North Shadeland Avenue; 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 dedicated service of Daughters of Isis, Persian Court No. 24, Illustrious Commandress Lydia Y. Andrews.

SECTION 2. May the life of Daughter Andrews serve as an inspiration and influence upon all of those who witness this important event to an even higher level of dedication and service both within Persian Court No. 24, and to the community.

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. 578, 2001. The proposal, sponsored by Councillor Talley, recognizes the 25th Anniversary of Keep Indianapolis Beautiful. Councillor Talley read the proposal and presented David Forsell, Vice President of Community Programs, with a copy of the document and a Council pin. Mr. Forsell thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Soards, for adoption. Proposal No. 578, 2001 was adopted by a unanimous voice vote.

Proposal No. 578, 2001 was retitled SPECIAL RESOLUTION NO. 73, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 2001

A SPECIAL RESOLUTION recognizing the 25th Anniversary of Keep Indianapolis Beautiful.

WHEREAS, years ago, a travel writer described Indianapolis as a "city unworthy of a visit from a traveler making his or her way through America's heartland."; and

WHEREAS, in 1976, Mayor William Hudnut and a large number of community leaders created the Indianapolis Clean City Committee that launched a variety of cleanups and beautification activities, personified by the Mayor himself in plaid pants, white belt and shoes, doing the "Hudnut Hook" lobbing litter into a trash can; and

WHEREAS, the people of Indianapolis responded, and the organization later changed its name to Keep Indianapolis Beautiful to more clearly reflect what it is doing now by planting trees and flowers, painting homes, recycling, graffiti prevention, litter cleanup and a number of other initiatives; and

WHEREAS, Keep Indianapolis Beautiful marshals over 20,000 volunteers a year, who along with a small staff and a dedicated group of Board members and corporate financial partners, has earned awards from the Environmental Education Association of Indiana, the Marion County Soil and Water Conservation District Board, the Indiana Arborists Association and from the Indiana Urban Forest Council; now, therefore:

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

SECTION I. The Indianapolis City-County Council recognizes and applauds the good work of Keep Indianapolis Beautiful during the past quarter of a century.

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SECTION 2. Visitors often comment about how clean Indianapolis is, which is good; but the more important result of the work of Keep Indianapolis Beautiful and others is the quality of life of the people who live here every day in a more clean, healthy, safe and beautiful city.

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. 579, 2001. The proposal, sponsored by Councillors Horseman, SerVaas, and Nytes, congratulates George Haerle for earning the Marion County Alliance of Neighborhood Associations' Steve West Torchlight Award. Councillor Horseman read the proposal and presented Mr. Haerle with a copy of the document and a Council pin. Mr. Haerle thanked the Council for the recognition. Councillor Horseman moved, seconded by Councillor Nytes, for adoption. Proposal No. 579, 2001 was adopted by a unanimous voice vote.

Proposal No. 579, 2001 was retitled SPECIAL RESOLUTION NO. 74, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 2001

A SPECIAL RESOLUTION congratulating George Haerle for earning the Marion County Alliance of Neighborhood Associations' Steve West Torchlight Award.

WHEREAS, some people choose to be active in the life of the community, to try to make things better, and to constantly learn and grow; and

WHEREAS, Indianapolis' George Haerle is such an individual. He is a graduate of Shortridge High School and Wabash College; a retired businessman; an active Optimist Club member since Eisenhower was President; has served on Washington Township Schools study committees; and, on an IUPUI Earth and Environmental Science Advisory Board; and

WHEREAS, Mr. Haerle's landmark contribution has been as an informed volunteer watchdog of planning and land use, where since before UNIGOV he has given countless hours to three Washington Township Comprehensive Plan updates, signage review committees, the Nora Northside Community Council of which he is currently Treasurer and Land Use Chair, which are identical positions that he also holds with the Marion County Alliance of Neighborhood Associations; and

WHEREAS, for his years of steady commitment, focus, and grasp of neighborhood development issues, his rational and pleasant bearing, and steady judgement, Mr. Haerle was awarded the Steve West Torchlight Award by the Marion County Alliance of Neighborhood Associations; 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 George Haerle for being the honored recipient of the Steve West Torchlight Award.

SECTION 2. It is people like Mr. Haerle with research and knowledge, patience and vision that help make Indianapolis a better place in which to call home.

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. 580, 2001. The proposal, sponsored by Councillor Bradford, recognizes Indianapolis' top ghostly entertainer Bob Carter a.k.a. Sammy Terry. Councillor Bradford read the proposal and presented Mr. Carter and his wife Phyllis with a copy of the document and Council pins. Mr. Carter thanked the Council for the honor and wished them all "many pleasant nightmares," followed by his trademark ghoulish laugh. Mrs. Carter thanked the Council for

recognizing her husband of 50 years. Councillor Bradford moved, seconded by Councillor Horseman, for adoption. Proposal No. 580, 2001 was adopted by a unanimous voice vote.

Proposal No. 580, 2001 was retitled SPECIAL RESOLUTION NO. 75, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 2001

A SPECIAL RESOLUTION recognizing Indianapolis' top ghostly entertainer Bob Carter a.k.a. Sammy Terry

WHEREAS, every Friday night for nearly 30 years during the 1960's, 1970's and 1980's a local television personality on WTTV Channel 4 by the name of Bob Carter would change his name to Sammy Terry, be costumed and ready to raise a coffin lid, crack some puns, deliver his very distinctive laugh, and introduce that night's B-grade horror movie; and

WHEREAS, as a young man growing up in Decatur, Illinois, Carter was very interested in music until a broken wrist ended his snare drumming career with a local band; and

WHEREAS, after degrees in Millikin and Syracuse Universities, he served as a TV weatherman in Peoria, then later at a Fort Wayne, Indiana, TV station where while doing a live commercial for Kentucky Fried Chicken, someone forgot the napkins, and he graphically introduced the advertising world to the "finger lickin' good" slogan for Colonel Sanders; and

WHEREAS, in Indianapolis, Bob Carter not only scared and entertained two generations of kids with his Sammy Terry gig, but also owned a music store on Shadeland Avenue for 29 years, is an active Church member, a grandfather, and in retirement still continues to don his makeup and costume to do Sammy Terry appearances; 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 Bob Carter, who disguised as a friendly ghoul Sammy Terry, reigns as the city's leading ghostly entertainer.

SECTION 2. Indianapolis is enriched because it is the home of so many professional, caring, and involved citizens like Bob Carter.

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. 591, 2001. The proposal, sponsored by Councillor Boyd, recognizes the Indianapolis Convention of the Federated King's Daughters group of the Seventh-Day Adventist Church. Councillor Boyd said that this resolution will be presented during Thursday's activities of the Convention by Councillor Gibson. He moved, seconded by Councillor Gibson, for adoption. Proposal No. 591, 2001 was adopted by a unanimous voice vote.

Proposal No. 591, 2001 was retitled SPECIAL RESOLUTION NO. 76, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 2001

A SPECIAL RESOLUTION recognizing the Indianapolis Convention of the Federated King's Daughters branch of the Seventh-Day Adventist Church.

WHEREAS, The Seventh-Day Adventist Church is a fast growing century and a half old Christian denomination of eight million members in 209 nations headquartered in Silver Spring, Maryland; and

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WHEREAS, King's Daughters is the organization of women of the Church, who since it was organized 81 years ago, has worked to bring comfort and cheer to the sick, the shut-ins and to the elderly; and

WHEREAS, the Eastern Regional Convention of King's Daughters is being held in Indianapolis to plan, learn, grow, and to be inspired; and

WHEREAS, Indianapolis welcomes King's Daughters to a city with professional sports teams, a renewed downtown, three of the top auto races in the world, world class museums of art, America's West and children, and shopping must be included in such a list of amenities; and

WHEREAS, we are proud of the achievements of our city, but must state that like everywhere else, there are hurts, people without hope or direction, the unchurched, the addicted, the frail, and we ask that as leaders of a Church with Christian values, love and witness, that you seek out those people who need a helping hand here, in your home towns, and in the many parts of the world that your great denomination can put your compassion to work; 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 welcomes the King's Daughters to Indianapolis.

SECTION 2. May this King's Daughters Convention be very uplifting, motivating and memorable to every one present.

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. 593, 2001. The proposal, sponsored by Councillor Smith, recognizes Franklin Township's Fire Chief Paul Bailey. Councillor Smith read the resolution and presented Chief Bailey with a copy of the document and a Council pin. Mr. Bailey said that it was his honor to represent Indianapolis and this was an experience that will stay with him for a lifetime. He thanked the Council for the recognition. Councillor Smith moved, seconded by Councillor Gray, for adoption. Proposal No. 593, 2001 was adopted by a unanimous voice vote.

Proposal No. 593, 2001 was retitled SPECIAL RESOLUTION NO. 77, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 2001

A SPECIAL RESOLUTION recognizing Franklin Township's Fire Chief Paul Bailey.

WHEREAS, Franklin Township Fire Chief Paul Bailey also serves as an Operations Chief of an Incidence Support Team of the Federal Emergency Management Agency; and

WHEREAS, as such, Chief Bailey worked directly for FEMA in the management of emergency efforts at the New York World Trade Center disaster site; and

WHEREAS, in New York, he helped determine where the urban search and rescue teams command posts needed to be set up, directed the operations of the command posts, and made sure that the search and rescue task forces received the equipment needed to do their jobs; and

WHEREAS, Paul was the Night Operations Section Chief, directly supervising nine FEMA urban search and rescue teams, with normal working hours of six at night until six the next morning, but on two occasions worked 54 hours straight; and

WHEREAS, Chief Bailey is nationally recognized for the knowledge and skills that he brings to the site of a disaster; 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 talent and skills of Franklin Township Fire Chief Paul Bailey.

SECTION 2. The initiative and experience of the members of the Marion County Urban Search and Rescue Team, and FEMA Section Chief Paul Bailey, serves as an inspiration as well as brings home practical know-how that will benefit the citizens of Indianapolis and Marion County far into 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. 492, 2001. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 492, 2001 on October 2, 2001. The proposal reappoints Olga Villa Parra to the Board of Ethics. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Massie moved, seconded by Councillor Borst, for adoption. Proposal No. 492, 2001 was adopted by a unanimous voice vote.

Proposal No. 492, 2001 was retitled COUNCIL RESOLUTION NO. 71, 2001, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 2001

A COUNCIL RESOLUTION reappointing Olga Villa Parra to the Board of Ethics.

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

SECTION 1. As a member of the Board of Ethics, the Council reappoints:

Olga Villa Parra

SECTION 2. The appointment made by this resolution is for a term ending April 13, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 523, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 523, 2001 on October 9, 2001. The proposal, sponsored by Councillor Nytes, approves the Mayor's appointment of Bessie H. Anderson as hearing officer for adjudication of parking tickets. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Coonrod moved, seconded by Councillor Nytes, to strike. Proposal No. 523, 2001 was stricken by a unanimous voice vote.

PROPOSAL NO. 576, 2001. The proposal, sponsored by Councillor Cockrum, appoints David A. Coppess to the Common Construction Wage Committee for Decatur Township. Councillor Massie reported that the Rules and Public Policy Committee has not yet heard Proposal No. 576, 2001, but that these appointments are routinely approved by the Whole Committee. He moved, seconded by Councillor Talley, to suspend the rules to consider the appointment this evening.

Councillor Cockrum said that the former appointee to this Committee passed away, and although it is not an emergency that a replacement be made immediately, it would certainly benefit the school system in Decatur, as they are working on some construction projects at this time. He said that he has known Mr. Coppess for several years, and he believes his military background, his

experience in managing hourly employees, and his willingness to serve will be an asset to this Committee.

Councillor Sanders said that she has concerns that this individual has no experience in the construction industry. Councillor Borst said that he believes this position is for an ordinary citizen, and there is no requirement for expertise in the construction industry. Councillor Sanders said that she believes an ordinary citizen with experience in construction would be better suited to this position.

Councillor Cockrum said that this appointee must come from Decatur Township, and he has contacted many individuals with backgrounds in construction, who were either unwilling or unable to serve. He said that Mr. Coppess is the only person he could find with experience closest matched to this position. Councillor Sanders said that she would be willing to help Councillor Cockrum find a more suitable candidate.

President SerVaas said that he would like Councillor Cockrum to work with Councillor Sanders to resolve this issue and find the most suitable candidate. Councillor Massie withdrew his motion to suspend the rules, and Councillor Talley withdrew his second.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 545, 2001. Introduced by Councillors Coonrod and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which 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, and the Park General Fund during the period from January 1, 2002, through December 31, 2002"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 546, 2001. Introduced by Councillors Coonrod and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which 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, 2002, through December 31, 2002"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 547, 2001. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease office space at 6767 E. Washington Street for the Community Relations Section of the Marion County Sheriff's Department"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 548, 2001. Introduced by Councillors Borst and Boyd. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$75,000 in the 2001 Budget of the City-County Council (Consolidated County Fund) to provide for professional services in conjunction with the proposed purchase of the Indianapolis Water Company by the City"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 549, 2001. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,400,000 in the 2001 Budget of the Information Services Agency (Information Services Internal Service Fund) to fund the technology based pass-through costs of City and County agencies"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 550, 2001. Introduced by Councillors Smith and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 551, 2001. Introduced by Councillors Smith and Gray. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the City to accept a state loan for remediation of brownfield sites"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 552, 2001. Introduced by Councillors Smith and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$302,000 in the 2001 Budget of the Department of Metropolitan Development, (State Grants, Federal Grants, and Redevelopment General Funds) for floodplain analysis and mapping, brownfields assessment and remediation, and for demolition of fire-damaged buildings at the Georgetown Apartments, financed by federal and state grants and by insurance proceeds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 553, 2001. Introduced by Councillors Cockrum and Brents. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$1,000,000 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to begin architectural and engineering design for numerous capital improvements, financed by a grant from the Lilly Endowment"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 554, 2001. Introduced by Councillors Soards and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$400,000 in the 2001 Budget of the Department of Parks and Recreation (Redevelopment Tax Increment Financing Fund) to construct phase 1 of the Eagle Creek Trail, connecting 56th and 46th Streets along Reed Road in Pike Township, financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 555, 2001. Introduced by Councillors Cockrum, Brents, and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$25,000 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to establish an After School Recreation Adventure Program (RAP) at four parks and three schools in Indianapolis, financed by a donation from the Marion County Health and Hospital Corporation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 556, 2001. Introduced by Councillors Cockrum and Brents. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$20,000 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to prepare an inventory of street trees in Center Township, financed by federal funds (Local match is \$20,000 and is funded by existing appropriation in the Department of Parks and Recreation budget.); and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 557, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$500,000 and a transfer of \$220,000 in the 2001 Budget of the County Sheriff (County General Fund) to fund the shortage in fuel, funded by a transfer and a reduction in fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 558, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$8,821 in the 2001 Budgets of the County Auditor and Prosecuting Attorney (County General Fund) to continue partial funding of a grants manager position, funded by reimbursements for administrative fees from six different grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 559, 2001. Introduced by Councillors Dowden and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$244,000 in the 2001 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund DUI enforcement in Marion County, funded by a grant through the Prosecuting Attorney and including other law enforcement agencies"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 560, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$6,683 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide salary dollars from excess fringe money in the County Auditor's budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 561, 2001. Introduced by Councillors Dowden and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$360,000 in the 2001 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund the Community Gun Violence Prosecution Program, funded by a federal grant (Local match is \$90,000 and will be funded by the Prosecuting Attorney.)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 562, 2001. Introduced by Councillors Dowden and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$10,000 in the 2001 Budget of the County Auditor and the Marion County Superior Court (State and Federal Grants Fund) to fund domestic violence probation sweeps, funded by a federal grant (Violence Against Women Grant)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 563, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$19,607 in the 2001 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund - Juvenile Div \$15,883; Auditor \$3,724) to provide for expenses in the Juvenile Accountability Incentive Block Grant #2"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 564, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$51,987 and a transfer of \$389,340 in the 2001 Budgets of the County Auditor and the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to provide for expenses in the Juvenile Accountability Incentive Block Grant #3, funded by a transfer and a reduction in fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 565, 2001. Introduced by Councillors Coonrod and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of

\$570,000 in the 2001 Budget of the Metropolitan Emergency Communications Agency (MECA Sinking Fund) to make debt service payments on the 2001 MECA bond issue, previously approved by the City-County Council, financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 566, 2001. Introduced by Councillors Dowden, Moriarty Adams, and Talley. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves an appropriation of \$1,500,000 in the 2001 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to purchase the AFIS (Automated Fingerprint Identification System) Palm Print Identification System, financed by a grant from the US Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 567, 2001. Introduced by Councillors Dowden, Moriarty Adams, and Talley. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves an appropriation of \$236,188 in the 2001 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to fund juvenile crime programs and overtime costs associated with federal task forces, and to purchase supplies and equipment for the Police Department, financed by federal funds (Local match for one of the grants is \$1,196 and is funded by existing appropriation in the Police General Fund Budget.);"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 568, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which seeks to establish procedures regarding consideration of proposals for grants from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 569, 2001. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Galaxy Lane and Morningstar Drive (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 570, 2001. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls on Harding Lane (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 571, 2001. Introduced by Councillors Moriarty Adams and Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Colorado Avenue and Euclid Avenue, between Michigan Street and St. Clair Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 572, 2001. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction on Northeastern Avenue between Franklin Road and Southeastern Avenue (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 573, 2001. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of the weight limit restriction on 16th Street between Cunningham Road and Lynhurst Drive, and on Cunningham Road between 16th Street and 21st Street (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 574, 2001. Introduced by Councillors Short and Massie. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which recognizes that the City of Indianapolis and the State of Indiana should observe Daylight Savings Time"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 575, 2001. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which amends the City-County Annual Budget for 2001 regarding payments in lieu of taxes ("PILOT") revenues"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 592, 2001. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves a schedule of regular council meetings for the year 2002"; and the President referred it to the Committee of the Whole Council.

PROPOSAL NO. 594, 2001. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which establishes procedures for the redistricting process"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 595, 2001. Introduced by Councillors Massie and Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec 293-104 to provide for terms of members of the ethics board to expire on December 31"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 596, 2001. Introduced by Councillors SerVaas and Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which adopts the provisions of IC Chapter 8-1.5-4 and establishes a city department of waterworks"; and the President referred it to the Public Works Committee.

Councillor Borst said that it seems Proposal No. 596, 2001 is a policy decision and therefore should be referred to the Rules and Public Policy Committee instead of the Public Works Committee. President SerVaas said that the policy decision regarding the purchase of the water company has pretty much been made, and he assigned this proposal to the Public Works Committee because he believes it is a function of this Committee.

Councillor Schneider said that he believes the Administration and Finance Committee would be a better fit for this issue if the policy decision has already been made. He said that he believes the establishment of a new department would be an administrative initiative.

Councillor Coughenour said that she believes this action parallels the action taken when the White River Environmental Partnership was formed. She said that the Public Works Department administers this kind of contract, and therefore she believes it is appropriate that the proposal be sent to the Public Works Committee. She added that the Rules and Public Policy Committee already dealt with the policy issue regarding the purchase of the water company, and this is an administrative function that falls under the purview of Public Works.

Councillor Bradford said that he does not really care which Committee this issue is referred to, but he believes there needs to be more dialogue with the public before a decision of this magnitude is made, and he does not believe that has taken place.

Councillor Dowden said that he supports the referral of this proposal to the Rules and Public Policy Committee. He said that he believes this proposal is beyond the Public Works initiative, as the policy to create the department has not yet been established.

Councillor Coonrod asked if a motion is in order to refer this proposal to a different committee. Councillor Horseman said that there is no provision in the Rules of the Council for the full Council to refer proposals to certain committees. She said that she believes it is the President's prerogative. President SerVaas said that he agrees with Councillor Horseman and is not sure the chair has ever been overruled before on a referral to committee.

Councillor Gray said that he believes it was a wise decision to refer the proposal to the Public Works Committee, and he believes this is where it belongs.

Robert Elrod, General Counsel, said that there is no provision in the rules to overrule the President's assignment to a committee. He said that a motion to do so at this time is out of order, and would be more appropriate during new business at the end of the meeting.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 581, 2001, PROPOSAL NO. 582, 2001, PROPOSAL NO. 583, 2001, and PROPOSAL NOS. 584-590, 2001. Introduced by Councillor Smith. Proposal No. 581, 2001, Proposal No. 582, 2001, Proposal No. 583, 2001, and Proposal Nos. 584-590, 2001 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on October 17, 2001. 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. 144-153, 2001, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 144, 2001.
2001-ZON-060
11151 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13
DENNIS L. BARKER and DELL BYRON BARKER request a rezoning of 5.553 (±) acres, being in the D-5 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 145, 2001.
2001-ZON-829
9238, 9242, 9244, 9246, and 9500 EAST 16TH STREET (approximate addresses), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12.
METROPOLITAN SCHOOL DISTRICT OF WARREN TOWNSHIP, by Philip A. Nicely, requests a rezoning of 16.5 acres, being in the D-2 District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 146, 2001.
2001-ZON-847
6666 and 6668 CORNELL AVENUE (approximate addresses), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 2.
JACOB ACQUISITIONS, LLC, by Stephen D. Mears, requests a rezoning of 0.7 acres, being in the D-4 (FF) District, to the D-8 classification to provide for multifamily development.

REZONING ORDINANCE NO. 147, 2001.
2001-ZON-089 (2001-DP-009)
6730 EAST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

October 22, 2001

C.P. MORGAN COMMUNITIES, L.P., by Brian J. Tuohy, requests a rezoning of 114.92 acres, being in the D-A (FW) (FF) District, to the D-P (FW) (FF) classification to provide for the construction of 275 single-family dwellings (2.39 units/acre).

REZONING ORDINANCE NO. 148, 2001.

2001-ZON-091

5236 VICTORY DRIVE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

JAMES R. SPEISER, by Lawrence A. Vanore, requests a rezoning of 0.9 acre, being in the C-3 District, to the C-4 classification to provide for the construction of a veterinary emergency center.

REZONING ORDINANCE NO. 149, 2001.

2001-ZON-100

4400 BETHEL AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 23

EMERSON REDEVELOPMENT, L.L.C., by Thomas Michael Quinn, requests a rezoning of 35 acres, being in the SU-3 (FW) (FF) District, to the C-S (FW) (FF) classification to provide for a mixed commercial use project consisting of an office, showroom and warehouse, self-storage facility, an outdoor vehicle training and education course, and a recreational vehicle dealership, with outdoor storage, display, and sales.

REZONING ORDINANCE NO. 150, 2001.

2001-ZON-103

7423 EAST 86TH STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

KGH PROPERTY GROUP, L.L.C. requests a rezoning of 1.41 acres, being in the D-A and D-611 Districts, to the C-1 classification to provide for the development of three professional office buildings.

REZONING ORDINANCE NO. 151, 2001.

2001-ZON-106

5401 SOUTH SHELBY STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

REACH FOR YOUTH, INC. requests a rezoning of 2.705 acres, being in the SU-2 District, to the SU-7 classification to provide for a youth and family counseling center and to allow one or more non-profit youth/family counseling agencies to occupy space in an existing 12,000 square foot educational building.

REZONING ORDINANCE NO. 152, 2001.

2001-ZON-832

841 WEST SUMNER AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25

W.R. BEECH GENERAL CONTRACTOR INC., by Ray Good, requests a rezoning of 13.545 acres, being in the D-A (FF) District, to the D-A (GSB) (FF) classification, to provide for the extraction and processing of gravel and sand deposits.

REZONING ORDINANCE NO. 153, 2001.

2001-ZON-845

1605-21 NORTH SHADELAND AVENUE (approximate addresses), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12.

SPEEDWAY SUPERAMERICA, L.L.C., by Philip A. Nicely, requests a rezoning of 0.74 acre, being in the D-4 District, to C-3 classification to provide for a gasoline station / convenience store.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 501, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 501, 2001 on October 9, 2001. The proposal, sponsored by Councillors Coonrod and Nytes, approves an appropriation of \$92,000 in the 2001 Budget of the Cable Communications Agency (Consolidated County Fund) to purchase digital studio cameras and pedestals for the Channel 16 facility, financed by a cable franchise Public, Educational or

Governmental Access Facilities (P.E.G.) grant. 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 8:27 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Nytes, for adoption. Proposal No. 501, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 501, 2001 was retitled FISCAL ORDINANCE NO. 131, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 131, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating Nine-two Thousand Dollars (\$92,000) in the Consolidated County Fund for purposes of the Cable Communications Agency and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(d) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to purchase digital studio cameras and pedestals for the Channel 16 facility.

SECTION 2. The sum of Nine-two Thousand Dollars (\$92,000) 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>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>92,000</u>
TOTAL INCREASE	92,000

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>92,000</u>
TOTAL DECREASE	92,000

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

PROPOSAL NO. 525, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 525, 2001 on October 9, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$260,999 in the 2001 Budget of the County Auditor (State and Federal Grants Fund) to fund the start-up costs for Legacy House and to provide advocate and support staff for victims of accidents caused by drunk drivers who are referred to Legacy House, funded by a grant from the Indiana Criminal Justice Institute (This is a pass through grant.). By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coonrod said that he voted against the

proposal in Committee, as there were some contract issues that he felt had not been resolved. The Committee was supposed to receive a copy of a contract agreement before this full Council hearing and the paperwork that was provided was not adequate. Councillor Coonrod said that he would like to return the proposal to committee for further review.

President SerVaas asked if the sponsor of the proposal is in agreement with returning the proposal to committee, or if there are timing issues involved. Councillor Dowden said that he is in agreement. He added that the proposal was originally sent to the Public Safety and Criminal Justice Committee, because the pass-through for the grant was originally noted as the Sheriff's Department. When the Sheriff decided they did not want this grant to pass through their department, the County Auditor agreed to handle the pass-through in their office, and now it seems as though there are complications with this, as well.

Councillor Short asked why the proposal passed out of committee with a do pass recommendation. Councillor Coonrod said that the Auditor had agreed to let the money pass through their office, but there have since been some complications arise with the executed agreement and contract that manages these grant dollars.

Councillor Talley asked if the grant is time sensitive. Donna Moore, executive director of Legacy House, said that the grant was originally submitted by the Health and Hospital Corporation, but because Health and Hospital is not a County Agency, the money could not be awarded through this organization. Councillor Coonrod said that he is not trying to hold up the grant money from being awarded and spent, and he has nothing against the goals and projects of the Legacy House. He said that his concern is that the grant agreement contract is not adequate and does not properly monitor how these dollars are spent. Marty Womacks, County Auditor, said that she is willing for this grant to pass through her office, but Councillor Coonrod has expressed concerns that the paperwork is inadequate to properly manage this grant.

Councillor Sanders said that she is a member of the Administration and Finance Committee, and the committee was led to believe that this was a simple pass-through and all of this additional paperwork was not needed. She said that she agrees that the proposal should be returned to Committee.

Councillor Borst said that Mr. Elrod has advised that due to advertising requirements, the proper motion would be to postpone the proposal until the next Council meeting, which would allow the Committee to hear further testimony, as well.

Councillor Coughenour asked if postponing the proposal will jeopardize the receipt of the grant. She asked when the grant runs out. Ms. Moore said that the grant runs out December 31, 2001, and she believes if the proposal is passed at the November 12th meeting, there will be time to complete all the paperwork.

Councillor Coonrod moved, seconded by Councillor Dowden, to postpone Proposal No. 525, 2001 until November 12, 2001. Proposal No. 525, 2001 was postponed by a unanimous voice vote.

PROPOSAL NO. 527, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 527, 2001 on October 18, 2001. The proposal approves an increase of \$1,450,000 in the 2001 Budget of the Department of Public Works, Engineering Division (Flood General Fund) to fund the start-up costs for implementing the Marion County Storm Water Management District, including hiring a qualified billing service and for consulting services to

complete the calculation of user fees for non-residential properties, financed by fund balances. 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 8:42 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 527, 2001, as amended, was adopted on the following roll call vote; viz.:

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

Proposal No. 527, 2001, as amended, was retitled FISCAL ORDINANCE NO. 132, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 132, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating an additional One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) in the Flood General Fund for purposes of the Department of Public Works, Engineering Division, and decreasing the unappropriated and unencumbered balance in the Flood General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering Division, to fund the start-up costs for implementing the Marion County Storm Water Management District, including hiring a qualified billing service and for consulting services to complete the calculation of user fees for non-residential properties.

SECTION 2. The sum of One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by decreasing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby increased:

<u>DEPARTMENT OF PUBLIC WORKS</u>		
<u>ENGINEERING DIVISION</u>		<u>FLOOD GENERAL FUND</u>
3. Other Services and Charges		<u>1,450,000</u>
TOTAL INCREASE		1,450,000

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

	<u>FLOOD GENERAL FUND</u>
Unappropriated and Unencumbered	
Flood General Fund	<u>1,450,000</u>
TOTAL DECREASE	1,450,000

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

PROPOSAL NO. 528, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 528, 2001 on October 18, 2001. The proposal, sponsored by Councillors Coughenour and Brents, approves a re-appropriation of \$1,680,002 in the 2001 Budget of the

Department of Public Works, Engineering Division (Transportation General and State Grant Funds) to continue street reconstruction, landscaping, and storm sewer improvements near the Eli Lilly headquarters campus, funded by contributions from Eli Lilly Corporation and an Indiana Department of Commerce grant. 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 8:45 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Brents, for adoption. Proposal No. 528, 2001 was adopted on the following roll call vote; viz:

24 YEAS: *Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Schneider, SerVaas, Short, Smith, Tilford*

0 NAYS:

4 NOT VOTING: *Bradford, Sanders, Soards, Talley*

1 ABSENT: *Conley*

Proposal No. 528, 2001 was retitled FISCAL ORDINANCE NO. 133, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 133, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) re-appropriating One Million Six Hundred Eighty Thousand Two Dollars (\$1,680,002) in the Transportation General and State Grant Funds for purposes of the Department of Public Works, Engineering Division, and decreasing the unappropriated and unencumbered balance in those funds.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Works, Engineering Division, to continue street reconstruction, landscaping, and storm sewer improvements near the Eli Lilly headquarters campus.

SECTION 2. The sum of One Million Six Hundred Eighty Thousand Two Dollars (\$1,680,002) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by decreasing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby increased:

<u>DEPARTMENT OF PUBLIC WORKS</u>		
<u>ENGINEERING DIVISION</u>		<u>TRANSPORTATION GENERAL FUND</u>
4. Capital Outlay		904,141
TOTAL INCREASE		904,141
 <u>DEPARTMENT OF PUBLIC WORKS</u>		
<u>ENGINEERING DIVISION</u>		<u>STATE GRANTS FUND</u>
4. Capital Outlay		775,861
TOTAL INCREASE		775,861

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	904,141
TOTAL REDUCTION	904,141

Unappropriated and Unencumbered
State Grants Fund
TOTAL REDUCTION

STATE GRANTS FUND
775,861
775,861

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.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 464, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 464, 2001 on October 9, 2001. The proposal determines the need to lease approximately 284 square feet of office space at the Forest Manor Multi-Service Center, 5603 East 38th Street, for home-detention personnel of the Marion County Community Corrections Agency. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coonrod moved, seconded by Councillor McWhirter, for adoption. Proposal No. 464, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Boyd, Sanders, Soards, Talley

1 ABSENT: Conley

Proposal No. 464, 2001 was retitled SPECIAL RESOLUTION NO. 78, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 2001

A SPECIAL RESOLUTION determining the need to lease approximately 283.5 square feet of office space at the Forest Manor Multi-Service Center, 5603 East 38th Street, for home-detention personnel of the Marion County Community Corrections Agency.

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

SECTION 1. The City-County Council, pursuant to IC 36-I-10-7(2), has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of home-detention personnel of the Marion County Community Corrections Agency is necessary.

SECTION 2. The property to be leased is within the Forest Manor Multi-Service Center, 5603 East 38th Street in Indianapolis, and is owned by Forest Manor Multi-Service Center, Inc., an Indiana non-profit corporation.

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

PROPOSAL NO. 466, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 466, 2001 on October 18, 2001. The proposal, sponsored by Councillor Tilford, prohibits sidewalk cafe sale areas from blocking handicap ramps. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Smith moved, seconded by Councillor Tilford, to return Proposal No.

466, 2001 to committee. Proposal No. 466, 2001 was returned to committee by a unanimous voice vote.

PROPOSAL NO. 487, 2001. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 487, 2001 on October 3, 2001. The proposal, sponsored by Councillors Dowden and Moriarty Adams, approves a transfer of \$10,000 in the 2001 Budget of the Department of Public Safety, Police Division (City Cumulative Capital Development Fund) for design of a new facility for the IPD Mounted Patrol unit, including housing for the horses. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Moriarty Adams for adoption. Proposal No. 487, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 487, 2001, as amended, was retitled FISCAL ORDINANCE NO. 134, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 134, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 105, 2000) transferring and appropriating Ten Thousand Dollars (\$10,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(L) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for design of a new facility for the IPD Mounted Patrol unit, including housing for the horses.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CITY CUMULATIVE CAPITAL</u>
<u>POLICE DIVISION</u>	<u>DEVELOPMENT FUND</u>
3. Other Services and Charges	<u>10,000</u>
TOTAL INCREASE	10,000

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

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CITY CUMULATIVE CAPITAL</u>
<u>POLICE DIVISION</u>	<u>DEVELOPMENT FUND</u>
4. Capital Outlay	<u>10,000</u>
TOTAL DECREASE	10,000

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

PROPOSAL NO. 511, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 511, 2001 on October 18, 2001. The proposal, sponsored by Councillors Nytes and Smith, authorizes the City to accept a state loan of \$60,000 for remediation of a brownfield site located at 1520 Central Avenue. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Nytes, for adoption. Proposal No. 511, 2001 was adopted on the following roll call vote; viz:

22 YEAS: *Bainbridge, Black, Borst, Bradford, Brents, Cockrum, Coughenour, Douglas, Dowden, Gibson, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, Short, Smith, Soards, Tilford*

0 NAYS:

6 NOT VOTING: *Boyd, Coonrod, Gray, Horseman, SerVaas, Talley*

1 ABSENT: *Conley*

Proposal No. 511, 2001 was retitled GENERAL RESOLUTION NO. 9, 2001, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 2001

PROPOSAL FOR A GENERAL RESOLUTION authorizing the City of Indianapolis and Marion County, Indiana, to accept a loan from the Environmental Remediation Revolving Loan Fund administered by the Indiana Development Finance Authority, and to loan the proceeds therefore to Titan Homes, Inc. for the purpose of remediating contaminated soils and demolishing structures at an abandoned gas station located 1520 Central Avenue, Indianapolis, Indiana, to construct single-family and multi-family residences.

WHEREAS, the State of Indiana has established an Environmental Remediation Revolving Loan Fund ("ERRLF") through IC 13-9-5 as amended (the "Authority Act"), for the purpose of providing funding for the assessment and remediation of "brownfield sites" in Indiana communities which sites contain environmental contamination; and

WHEREAS, the ERRLF contemplates "pass through" loans from the State of Indiana to private entities through local government entities; and

WHEREAS, the Consolidated City of Indianapolis ("City") has made application for a loan from the Environmental Remediation Revolving Loan Fund administered by the Indiana Development Finance Authority and to loan the proceeds thereof to Titan Homes, Inc. for the purpose of remediating the environmental contamination and demolishing the structure at the former an abandoned gas station located at 1520 Central Avenue; and

WHEREAS, Central 13 Redevelopment Corporation has acquired a "brownfields site" in the City of Indianapolis - Marion County commonly known as the former Mobil gas station, 1520 Central Avenue, consisting of less than one acre acres at the corner of 16th Street and Central Avenue, which site is in need of environmental remediation and building demolition (the "Property"); and

WHEREAS, Central 13 Redevelopment Corporation shall hold the Property for redevelopment in a partnership with Titan Homes, Inc.; and

WHEREAS, Titan Homes, Inc. has requested the City to obtain a loan not to exceed Sixty Thousand Dollars (\$60,000) from the Indiana Development Finance Authority ("IDFA") pursuant to the ERRLF for the purpose of re-lending those funds to Titan Homes, Inc. (the "Authority Loan"); and

WHEREAS, the proceeds of the Authority Loan will be used by Titan Homes, Inc. for the purpose of funding the soil remediation and building demolition on the Property; and

WHEREAS, the Authority Loan may consist of a non-forgivable loan (the "Authority Non-forgivable Loan") in an amount not less than eighty percent (80%) of the principal amount of the Authority Loan and a forgivable loan (the "Authority Forgivable Loan") in an amount not more than twenty percent (20%) of the principal amount of the Authority Loan; and

October 22, 2001

WHEREAS, the Authority Forgivable Loan will be forgiven if the City achieves certain economic development goals in accordance with those goals set forth at "Exhibit A," attached hereto and incorporated herein by reference; and

WHEREAS, it will be beneficial to the health, safety and general welfare of the City of Indianapolis-Marion County and its citizens if the environmental contamination of the Property is remediated; and

WHEREAS, IDFA requires that the governmental entity sponsoring an ERRLF Loan adopt an ordinance confirming the ultimate source of repayment of the loan; and

WHEREAS, Titan Homes, Inc. has agreed to secure a letter of credit on the Authority Loan in the full amount of the Authority Loan which will run in favor of the City; and

WHEREAS, IDFA further requires assurance of the obligations of the governmental entity to repay an ERRLF loan from the entity's own funds in the unlikely event that the primary source or repayment (being backed by the letter of credit) should fail; now, therefore:

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

SECTION 1. The City hereby finds and determines that Central 13 Redevelopment Corporation is the owner of the abandoned gas station located at 1520 Central Avenue, Indianapolis, Marion County, Indiana (the "Property") and that the Property is in need of environmental remediation and building demolition

SECTION 2. Central 13 Redevelopment Corporation shall hold the Property for redevelopment in a partnership with Titan Homes, Inc. until remediation and demolition activities have been completed on the Property.

SECTION 3. The City has requested the State of Indiana, through the Environmental Remediation Revolving Loan Fund administered by the IDFA, to lend the City, a sum not to exceed Sixty Thousand Dollars (\$60,000), and the City hereby ratifies and approves the Authority Loan. The Authority Loan will be a partially forgivable loan and up to twenty percent (20%) of the Sixty Thousand Dollars (\$60,000) may be forgiven subject to the Borrower attaining the economic development goals in "Exhibit A."

SECTION 4. The City-County Council hereby authorizes and approves the loan of the proceeds of the Authority Loan to Titan Homes, Inc. (the "City Loan") on the condition that the money be used for the environmental remediation and building demolition on the Property and on the further condition that Titan Homes, Inc. provide the City with an irrevocable letter of credit in the amount of Sixty Thousand Dollars (\$60,000) (the "Letter of Credit") and the principals of Titan Homes, Inc. agree to secure the Letter of Credit as further security for the Authority Loan in the event that Titan Homes, Inc. does not repay the Authority Loan.

SECTION 5. In the unlikely event that the primary source of repayment (being the promise of Titan Homes, Inc., backed by the Letter of Credit and the personal guarantees) are unable to repay the City Loan, the City-County Council hereby authorizes and approves the repayment of the Authority Loan to IDFA with funds from the City's Brownfields Program.

SECTION 6. The City-County Council hereby authorizes the President of the Council or his designee to execute such documents as may be necessary to carry out the purpose of this Ordinance, including without limitation, a Loan, Servicing and Disbursement Agreement between the City and IDFA, a Promissory Note in favor of IDFA and/or such other documents as shall constitute the financial assistance agreement under IC 13-19-5-9, and a Loan Agreement and related documents between the City and Titan Homes, Inc.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 522, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 522, 2001 on October 18, 2001. The proposal is an inducement resolution for Trilithic, Inc. in an amount not to exceed \$6,500,000 consisting of the construction of an approximately 120,000 sq. ft. manufacturing facility for the production of electrical test equipment and components which will be located at 9710 Park Davis Drive (District 5). By a 7-

0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Tilford said that he has some concerns regarding some information he received today regarding recent layoffs at Trilithic. He said that since this proposal is an inducement only, he will vote in support of it, but he would like an explanation of layoffs before the final approval since the developer is committed to adding 170 new jobs. President SerVaas said that the economy is very difficult at this time, and there may be temporary reasons for layoffs.

Councillor Smith moved, seconded by Councillor Nytes, for adoption. Proposal No. 522, 2001 was adopted on the following roll call vote; viz:

23 YEAS: Borst, Bradford, Brents, Cockrum, Coonrod, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Tilford

0 NAYS:

5 NOT VOTING: Bainbridge, Black, Boyd, Coughenour, Talley

1 ABSENT: Conley

Proposal No. 522, 2001 was retitled SPECIAL RESOLUTION NO. 79, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 2001

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is authorized by IC 36-7-12 (the "Act") to issue revenue its economic development and pollution control revenue bonds to assist in the financing of certain economic development and manufacturing facilities in the City of Indianapolis, Indiana (the "City") for the benefit of Trilithic, Inc.; and

WHEREAS, Trilithic, Inc. (the "Company"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Company or lend the proceeds of an economic development financing to the Company for the same, said economic development and manufacturing facilities consists of the construction of an approximately 103,000 sq. ft. manufacturing facility. The Project will be located at 9710 Park Davis Drive, Indianapolis, Indiana (District 5) (the "Project") all for use by the Company in its production of electrical test equipment and components; and

WHEREAS, the diversifications of industry and creation and retention of opportunities for gainful employment, to be achieved by the construction and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the construction of the Project will not have an adverse competitive effect on any similar facility already constructed or operating within the jurisdiction of the Issuer; now, therefor:

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$6,500,000 under the Act to be privately placed or publicly offered with credit enhancement for the construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the construction of the Project will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the construction and equipping of the Project, it urges the City-County Council of the Issuer to (i) take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant, and (b) subject to the further caveat that the proposed inducement expires February 28, 2002, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action extends the term of this Inducement resolution; and (ii) it will adopt such resolution and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds this inducement resolution is still effect; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding or refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the cost of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the date of adoption of the special resolution to be adopted by the City-County council of the Issuer, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, a portion of the interest paid during acquisition and rehabilitation, underwriting, expenses, attorney and bond counsel fees, and acquisition, rehabilitation and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T-8476) on Arbitrage Restrictions on Tax-Exempt Bonds, in particular, Section 1.150-2.

SECTION 5. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 526, 2001. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 526, 2001 on October 3, 2001. The proposal approves a transfer of \$60,000 in the 2001 Budget of the Forensic Services Agency (County General Fund) to pay for various laboratory expenses including costs associated with relocating the biology unit to a new location. 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 Schneider, for adoption. Proposal No. 526, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 526, 2001 was retitled FISCAL ORDINANCE NO. 135, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 135, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) transferring and appropriating an additional Sixty Thousand Dollars (\$60,000) in the County General Fund for purposes of Forensic Services Agency and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(x) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to provide for various laboratory expenses including costs associated with relocating the biology unit to a new location.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) 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>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>60,000</u>
TOTAL INCREASE	60,000

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

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>60,000</u>
TOTAL DECREASE	60,000

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

PROPOSAL NO. 489, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 489, 2001 on October 18, 2001. The proposal, sponsored by Councillor Cockrum, requires that the placement of speed humps on residential streets must be approved by the council. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Coughenour moved, seconded by Councillor Cockrum, to strike. Proposal No. 489, 2001 was stricken by a unanimous voice vote.

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 529-533, 2001 on October 18, 2001. She said that all proposals passed out of committee with 8-0 do pass recommendations. She asked for consent to vote on these proposals together.

Councillor Soards said that he would prefer to vote on Proposal No. 533, 2001 separately. He said that he has some concerns about the lack of available parking Downtown, and does not like to see parking eliminated in that area. Councillor Coughenour said that this proposal simply restricts parking during rush hour to relieve traffic congestion due to the closing of Market Street.

Consent was given to vote on Proposal Nos. 529-532, 2001 together.

PROPOSAL NO. 529, 2001. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal at 9300 North Meridian (District 3). PROPOSAL NO. 530, 2001. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Candy Spots Drive and Hill Rise Drive (District 23). PROPOSAL NO. 531, 2001. The proposal, sponsored by Councillor Dowden, authorizes a multi-way stop at Appleby Lane and Hadway Drive, and a stop sign on Champton Drive at Appleby Lane (District 4). PROPOSAL NO. 532, 2001. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 12th Street and Goodlet Avenue (District 16). Councillor Coughenour moved, seconded by Councillor Brents, for adoption. Proposal Nos. 529-532, 2001 were adopted on the following roll call vote; viz:

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

Proposal No. 529, 2001 was retitled GENERAL ORDINANCE NO. 101, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 2001

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	Meridian St 9300 N Meridian St	None	Signal

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

Proposal No. 530, 2001 was retitled GENERAL ORDINANCE NO. 102, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 2001

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Candy Spots Dr Hill Rise Dr	Candy Spots Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Candy Spots Dr Hill Rise Dr	None	All Way Stop

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

Proposal No. 531, 2001 was retitled GENERAL ORDINANCE NO. 103, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 2001

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	Appleby Ln Champton Dr	Champton Dr	Stop
6	Appleby Ln Hadway Dr	Hadway Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	Appleby Ln Champton Dr	Appleby Ln	Stop
6	Appleby Ln Hadway Dr	None	All Way Stop

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

Proposal No. 532, 2001 was retitled GENERAL ORDINANCE NO. 104, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 104, 2001

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	12 th St Goodlet Av	12 th St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	12 th St Goodlet Av	None	All Way Stop

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

PROPOSAL NO. 533, 2001. The proposal, sponsored by Councillor Brents, authorizes rush hour parking restrictions on Ohio Street, on the north side, from Hudson Street to East Street (District 16). Councillor Coughenour moved, seconded by Councillor Brents, for adoption. Proposal No. 533, 2001 was adopted on the following roll call vote; viz:

20 YEAS: Bainbridge, Black, Borst, Brents, Cockrum, Coughenour, Douglas, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Tilford

5 NAYS: Bradford, Coonrod, Dowden, Schneider, Soards

3 NOT VOTING: Boyd, Smith, Talley

1 ABSENT: Conley

Proposal No. 533, 2001 was retitled GENERAL ORDINANCE NO. 105, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the north side, from Alabama Street to East Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the north side, from Hudson Street to East Street

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

**FIRE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

President SerVaas convened the Fire Special Service District Council.

PROPOSAL NO. 524, 2001. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 524, 2001 on October 3, 2001. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves an appropriation of \$870,000 in the 2001 Budget of the Department of Public Safety, Fire Division (Federal Grants Fund) to cover

expenses incurred by the Urban Search and Rescue Task Force while being deployed in the New York City rescue efforts from September 11 through September 20, 2001, funded by a reimbursement from FEMA (Federal Emergency Management Agency). 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 9:07 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 524, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Boyd, Gray, Smith, Talley

1 ABSENT: Conley

Proposal No. 524, 2001 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2001, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2001

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the City-County Fire Special Service District Budget for 2001 (Fire Special Service District Fiscal Ordinance No. 2, 2000) appropriating Eight Hundred Seventy Thousand (\$870,000) in the Federal Grants Fund for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE FIRE 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 City-County Fire Special Service District Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to cover expenses incurred by the Urban Search and Rescue Task Force while being deployed in the New York City rescue efforts from September 11 through September 20, 2001. All expenses will be reimbursed by the Federal Emergency Management Agency.

SECTION 2. The sum of Eight Hundred Seventy Thousand Dollars (\$870,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FEDERAL GRANTS FUND</u>
<u>FIRE DIVISION</u>	
1. Personal Services	200,000
2. Materials and Supplies	50,000
3. Other Services and Charges	570,000
4. Capital Outlay	<u>50,000</u>
TOTAL INCREASE	870,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	<u>870,000</u>
TOTAL REDUCTION	870,000

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

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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

Councillor Langsford invited all Councillors to attend the Irvington Historic Halloween Festival from 10:00 a.m. to 4:00 p.m. this Saturday, October 27, 2001.

Councillor Gibson congratulated fellow Councillor Short on his appointment as Vice Chairman of the National Board of Trustees for the Leukemia Society.

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas said that the docketed agenda for this meeting of the Council is therefore completed, and in the absence of Councillor Boyd, he has been asked to offer the following motion for adjournment by:

- (1) Councillor Horseman in memory of Joanne Burrow; and
- (2) Councillor Boyd in memory of Bill Barnard; and
- (3) Councillor Coonrod in memory of John Jena.

President SerVaas moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Joanne Burrow, Bill Barnard, and John Jena. 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 9:11 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 22nd day of October, 2001.

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)