

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

**REGULAR MEETINGS
MONDAY, FEBRUARY 25, 2002**

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 7:05 p.m. on Monday, February 25, 2002, with President SerVaas presiding.

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

ROLL CALL

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

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

1 ABSENT: Short

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

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, February 25, 2002, 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

Journal of the City-County Council

February 12, 2002

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, February 13, 2002, and in the *Indianapolis Star* on Thursday, February 14, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 72-77, 2002, said hearing to be held on Monday, February 25, 2002, at 7:00 p.m. in the City-County Building.

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

February 22, 2002

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. 8, 2002 - approves an increase of \$91,388 in the 2002 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) for the funding of a mental health component and a conflict resolution services coordinator position, funded by Department of Corrections grants

GENERAL ORDINANCE NO. 20, 2002 - codifies the salary range of the chief public defender of Marion County

GENERAL ORDINANCE NO. 21, 2002 - permits multiyear vaccination of cats and dogs

GENERAL ORDINANCE NO. 22, 2002 - authorizes a traffic signal at 56th Street and Mitthoefer Road (District 5)

GENERAL ORDINANCE NO. 23, 2002 - authorizes a multi-way stop at 18th Street and Medford Avenue (District 16)

GENERAL ORDINANCE NO. 24, 2002 - authorizes parking restrictions on Prospect Street between Leonard Street and St. Patrick Street (District 21)

GENERAL ORDINANCE NO. 25, 2002 - authorizes parking restrictions on Monterey Road between Marseille Road and Balboa Drive (District 14)

GENERAL ORDINANCE NO. 26, 2002 - authorizes parking restrictions on Windermire Street from Bowman Avenue to Otterbein Avenue (District 20)

SPECIAL RESOLUTION NO. 7, 2002 - congratulates the Arlington High School Golden Knights boys basketball team for winning the 63rd annual city tournament

SPECIAL RESOLUTION NO. 8, 2002 - congratulates Alan Dhayer and Indianapolis Cable TV Channel 16 for receiving a national public awareness award from Mothers Against Drunk Drivers

SPECIAL RESOLUTION NO. 9, 2002 - determines that there is an interest in purchasing the real estate and structure at 6230 Valley Lane for the Department of Parks and Recreation

SPECIAL RESOLUTION NO. 10, 2002 - determines that there is a need to lease additional office space at 3549 Boulevard Place for the Department of Parks and Recreation

SPECIAL RESOLUTION NO. 11, 2002 - determines the need to lease office space at 3500 Lafayette Road for the Westside Community Office of the Marion Superior Court, Probation Department, Adult Services Division

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of February 11, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 106, 2002. The proposal, sponsored by Councillor Borst, recognizes the contributions of Dr. Jeffrey P. Bonner, President and Chief Executive Officer of the Indianapolis Zoological Society from 1993 to 2002. Councillor Borst read the proposal and presented copies of the document and a Council pin to Dr. Bonner. Dr. Bonner thanked the Council for the recognition. Councillor Borst moved, seconded by Councillor Tilford, for adoption. Proposal No. 106, 2002 was adopted by a unanimous voice vote.

Proposal No. 106, 2002 was retitled SPECIAL RESOLUTION NO. 12, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 2002

A SPECIAL RESOLUTION recognizing the contributions of Dr. Jeffrey P. Bonner, President and Chief Executive Officer of the Indianapolis Zoological Society from 1993 to 2002.

WHEREAS, in the early 1940's a local newspaper columnist advocated that Indianapolis should have a zoo, and in 1964 after a remonstrance lawsuit by neighbors was dismissed, the Indianapolis Zoological Society opened the zoo with a special emphasis on children at George Washington Park on East 30th Street; and

WHEREAS, the spectacular new \$64 million world class zoo at White River State Park opened in 1988, and five years later Dr. Jeffrey P. Bonner came from Saint Louis to lead the Indianapolis Zoo; and

WHEREAS, under Dr. Bonner's direction the Indianapolis Zoo leaped to the forefront in research and preservation of endangered species, rare animal breeding, he helped raise \$14 million for the urban botanical White River Gardens which opened in 1999, and has been in charge of overseeing an operating budget of \$14 million and 165 Zoo employees; and

WHEREAS, Dr. Bonner will soon return to Saint Louis as President and CEO of their Zoological Park -- a decided gain for that city, and a loss for Indianapolis; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes that the Indianapolis Zoo has made tremendous strides since those days more than a half century ago when it was only a dream by a crusading journalist, and under Dr. Jeffrey Bonner's nearly ten years of stewardship the Indianapolis Zoo in the heart of the city has continued its quick step march alongside some of the finest zoos in the world.

SECTION 2. The Council wishes Dr. Bonner well in his new position, and thanks him for his outstanding work here in Indianapolis.

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. 107, 2002. The proposal, sponsored by Councillors Borst and SerVaas, recognizes long time civic leader James T. Morris. Councillor Borst read the proposal and presented copies of the document and a Council pin to Mr. Morris. Mr. Morris thanked the Council for the recognition. Councillor Borst moved, seconded by Councillor SerVaas, for adoption. Proposal No. 107, 2002 was adopted by a unanimous voice vote.

Proposal No. 107, 2002 was retitled SPECIAL RESOLUTION NO. 13, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 2002

A SPECIAL RESOLUTION recognizing long time civic leader James T. Morris.

WHEREAS, local civic leader James T. Morris' list of work history, community leadership and awards is single spaced and three pages long; and

WHEREAS, from the former American Fletcher National Bank, he went to work for then-Mayor, now U.S. Senator Richard Lugar, for six years helping to shape the newly consolidated City-County government; and

WHEREAS, from the 25th floor of the City-County Building Mr. Morris went to Lilly Endowment for 16 years where he worked his way up from Community Development Director to President, then in 1989 he was appointed Chairman and CEO of IWC Resources, Inc.; and

WHEREAS, woven through his career he helped with the renaissance of downtown Indianapolis, and in helping make the city into a major sports center; and

WHEREAS, Jim Morris was a founder of the Indiana Sports Corporation, and is a current or former Director of the American Red Cross, the local Salvation Army, Boy Scouts, YMCA, Police Athletic League, the state and local Chambers of Commerce, the Indiana Pacers Foundation, the Indiana Special Olympics, and the Indiana University Board of Trustees, among many others; and

WHEREAS, he has received Honorary Doctorate Degrees from nine Indiana-based universities, the Presidential Medal of Freedom, the Distinguished Eagle Scout Award, and is a 33rd Degree Mason; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks James T. Morris for his lifetime of generously giving back to good government in Indianapolis, to the city's institutions and to its people.

SECTION 2. Mr. Morris will surely take his Indianapolis "can do" style of leadership with him to his new challenge at the Rome-based United Nations World Food Program, starting right away with a quarter billion dollars in food and other assistance to help war torn Afghanistan.

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. 108, 2002. The proposal, sponsored by Councillor Tilford; welcomes the new Home Depot home improvement store to 2225 North Post Road and the two other Indianapolis locations. Councillor Tilford read the proposal and presented copies of the document and Council pins to representatives. Councillor Bradford commended Warren Township for their revitalization efforts and said that the north side of Indianapolis would also welcome a Home Depot store. Councillor Tilford moved, seconded by Councillor Coughenour, for adoption. Proposal No. 108, 2002 was adopted by a unanimous voice vote.

Proposal No. 108, 2002 was retitled SPECIAL RESOLUTION NO. 14, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 2002

A SPECIAL RESOLUTION welcoming the new Home Depot home improvement store to 2225 North Post Road and the two other Indianapolis locations.

WHEREAS, the Atlanta-based Home Depot Corporation is a \$45 billion annual sales home improvement retailer with stores primarily in North America; and

WHEREAS, this late winter the company came to Indianapolis in a big way with new stores on High School Road, in Southport, and at 2225 North Post Road; and

WHEREAS, for a number of reasons, including company financial troubles, Indianapolis' Eastside has been experiencing a demoralizing stagnation of big name retailers, but The Home Depot saw through the fog of demographic statistics, distant home office marketing staffs, and the typical retailing herd instinct, and proceeded to bulldoze a decayed motel at Post Road and I-70 East to make way for a showpiece new home improvement and garden store; and

WHEREAS, two weeks ago the new Eastside Home Depot store opened to traffic-clogging and cash register ringing success; 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 three new Indianapolis Home Depot stores, including the Eastside store on Post Road.

SECTION 2. The Council wishes these new stores well, along with their already-established competitors, which captures the essence of the Free Enterprise System that has made America the envy of the world..

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 86, 2002. Introduced by Councillors Coughenour and Brents. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease office space at 1375 West 16th Street for the Department of Public Works"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 87, 2002. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Alan Wiseman to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 88, 2002. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$5,100 in the 2002 Budgets of the County Auditor and County Surveyor (County General Fund) to provide surveying services to IMAGIS in targeting specified control points for the 2002 aerial photography flyover"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 89, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$5,608 in the 2002 Budget of the County Sheriff (State and Federal Grants Fund) to purchase 4 radar units and 14 personal breath testers, funded by a grant from the Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 90, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$70,942 in the 2002 Budget of the Department of Public Safety, Fire Division (Federal Grants Fund) for fire safety programs through Survive Alive, financed by a federal grant (Federal Emergency Management Agency) (Local match of \$30,403 is funded by existing appropriations in the Department of Public Safety, Fire Division's 2002 Budget)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 91, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,825 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to purchase bedding and mats for animals held at the shelter, financed by donations made for that purpose"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 92, 2002. Introduced by Councillors Talley and Knox. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which requests that no additional taxpayer funding be provided to the Indianapolis Training Center, nor that the Marion County Superior Court, Juvenile Division, make any additional referrals to the Center pending the completion of the Child Protective Services' investigation of the Center, and a review of that investigation be made by the Marion County Prosecutor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 93, 2002. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Corvallis Crescent and Eagledale Drive (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 94, 2002. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Paul E. Ferguson to the Wellfield Education Corporation"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 95, 2002. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kathryn Rietmann to the Wellfield Education Corporation"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 96, 2002. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints John Schuler to the Wellfield Education Corporation"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 97, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which determines that the execution of the First Amendment (Arrestee Processing Center) to the Lease for Jail II is necessary"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 98, 2002. Introduced by Councillors Nytes and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Linda N. Perdue to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 99, 2002. Introduced by Councillors Nytes and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Phyllis Gabovitch to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 100, 2002. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the assignment of Indianapolis Water Company's liabilities and obligations under the 1998 Bonds to the Waterworks District, and authorizes the 1998 Bonds to be payable from the net revenues"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 101, 2002. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of one or more series of bond anticipation notes (BANs) in an aggregate principal amount not to exceed \$625,000,000 and approves and authorizes the Management Agreement and other actions in respect thereto"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 102, 2002 and PROPOSAL NOS. 103-105, 2002. Introduced by Councillor Smith. Proposal No. 102, 2002 and Proposal Nos. 103-105, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on February 20, 2002. 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. 20-23, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 20, 2002.

99-Z-147

4445, 4501, 4503-4507 POST ROAD (approximate addresses), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #14

TIMOTHY HARRIS requests a rezoning of 10.13 acres, being in the D-A District, to the SU-1 classification to provide for church uses.

REZONING ORDINANCE NO. 21, 2002.

2001-ZON-143 (2001-DP-017)

1701 WALKER AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #21

ANTHONY AND PHYLLIS J. SPEZIALE, by David Kingen, request a rezoning of 4.597 acres, being in the D-4 (FW) (FF) District, to the D-P (FW) (FF) classification to provide for 13 two-family dwellings, constituting 26 dwelling units (5.65 units per acre).

REZONING ORDINANCE NO. 22, 2002.

2001-ZON-148

6752 and 6758 GENTRY STREET and 8099 and 8101 CASTLETON ROAD (approximate addresses), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #4

DUNVILLE AND ASSOCIATES, INC., requests a rezoning of 0.69 acre, being in the SU-9 District, to the C-4 classification to provide for the construction of a commercial office building.

REZONING ORDINANCE NO. 23, 2002.

2001-ZON-155

721 EAST 27TH STREET, 725 EAST 27TH STREET AND 2644, 2702, 2708, and 2712 CARROLLTON AVENUE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22

ELDER SULLEN requests a rezoning of 0.89 acre, being in the D-5 and D-8 Districts, to the SU-1 classification to provide for religious uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 72, 2002. Councillor Bradford reported that the Community Affairs Committee heard Proposal No. 72, 2002 on February 12, 2002. The proposal, sponsored by Councillor Bradford, approves an increase of \$2,983 in the 2002 Budget of the County Auditor (Child Advocacy Fund) to support the continuation of an interdisciplinary response to child abuse and neglect situations for the Family Advocacy Center (per Indiana Code 12-17-12-2), financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 7:38 p.m. There being no one present to testify, Councillor Bradford moved, seconded by Councillor Coonrod, for adoption. Proposal No. 72, 2002 was adopted on the following roll call vote; viz:

23 YEAS: Bainbridge, Borst, Boyd, Bradford, Cockrum, Conley, Coonrod, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Nyles, Sanders, Schneider, SerVaas, Smith, Talley, Tilford

0 NAYS:

5 NOT VOTING: Black, Brents, Coughenour, Moriarty Adams, Soards

1 ABSENT: Short

Proposal No. 72, 2002 was retitled FISCAL ORDINANCE NO. 14, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 96, 2001) appropriating an additional Two Thousand Nine Hundred Eighty-three Dollars (\$2,983) in the Child Advocacy Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Child Advocacy 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 (b) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor to support the continuation of the interdisciplinary response to child abuse and neglect situation (per Indiana Code IC 12-17-17-2).

SECTION 2. The sum of Two Thousand Nine Hundred Eighty-three Dollars (\$2,983) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| | |
|-------------------------------|----------------------------|
| <u>COUNTY AUDITOR</u> | <u>CHILD ADVOCACY FUND</u> |
| 3. Other Services and Charges | <u>2,983</u> |
| TOTAL INCREASE | 2,983 |

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

| | |
|---------------------------------|----------------------------|
| | <u>CHILD ADVOCACY FUND</u> |
| Unappropriated and Unencumbered | |
| Child Advocacy Fund | <u>2,983</u> |
| TOTAL REDUCTION | 2,983 |

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

PROPOSAL NO. 73, 2002. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 73, 2002 on February 14, 2002. The proposal, sponsored by Councillors Cockrum and Short, approves an appropriation of \$500,000 in the 2002 Budget of the Department of Parks and Recreation (Federal Grants Fund) to renovate the parking lot, pool and bathhouse; and to add new basketball courts, additional landscaping and trails at Willard Park, financed by federal funds (Urban Park and Recreation Recovery Program) (Local match of \$214,285 is funded by existing appropriations in the Department of Parks and Recreation budget.). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 7:40 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Tilford, for adoption. Proposal No. 73, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 73, 2002 was retitled FISCAL ORDINANCE NO. 15, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating Five Hundred Thousand Dollars (\$500,000) in the Federal Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (l) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to renovate the parking lot, pool and bathhouse; and to add new basketball courts, landscaping, and trails at Willard Park.

SECTION 2. The sum of Five Hundred Thousand Dollars (\$500,000) be, and the same is hereby, appropriated 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>DEPARTMENT OF PARKS AND RECREATION</u> | <u>FEDERAL GRANTS FUND</u> |
|---|----------------------------|
| 3. Other Services and Charges | 107,143 |
| 4. Capital Outlay | <u>392,857</u> |
| TOTAL INCREASE | 500,000 |

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

| | <u>FEDERAL GRANTS FUND</u> |
|---------------------------------|----------------------------|
| Unappropriated and Unencumbered | |
| Federal Grants Fund | <u>500,000</u> |
| TOTAL REDUCTION | 500,000 |

SECTION 5. The activity hereby approved through this ordinance is funded by a federal grant. Matching funds have already been appropriated in the 2002 budget, as follows

| <u>DEPT. OF PARKS AND RECREATION</u> | <u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u> |
|--------------------------------------|---|
| 4. Capital Outlay | <u>214,285</u> |
| TOTAL | 214,285 |

SECTION 6. Except to the extent of matching funds 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 7. This appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the capital project described in Section 1 above.

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 74-77, 2002 on February 13, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 74, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$5,000 in the 2002 Budget of the County Sheriff (State and Federal Grants Fund) for a one time reimbursement for one officer assigned to the U.S. Marshal Services' Operation Failed Chance Task Force, funded by a grant from United States Marshals Service. PROPOSAL NO. 75, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$12,928 in the 2002 Budget of the Marion County Justice Agency (Law Enforcement Fund) to purchase computer equipment for the County Sheriff, financed by fund balances. PROPOSAL NO. 76, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$7,631 (Law Enforcement Equitable Share Fund) in the 2002 Budget of the Marion County Justice Agency to purchase computer equipment for the County Sheriff, financed by fund balances. PROPOSAL NO. 77, 2002. The proposal, sponsored by Councillor Borst, approves an increase of \$349,600 in the 2002 Budgets of the County Auditor and Forensic Services Agency (Forensic Services Training Fund) to carry out the functions and duties of the laboratory, funded from the fees for training foreign and domestic students in forensic analysis and crime scene services. By 6-0 votes, the Committee reported Proposal Nos. 74-76, 2002 to the Council with the recommendation that they do pass and Proposal No. 77, 2002 to the Council with the recommendation that it do pass as amended.

President SerVaas called for public testimony at 7:43 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 74-76, 2002 and Proposal No. 77, 2002, as amended, were adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Gray

1 ABSENT: Short

Proposal No. 74, 2002 was retitled FISCAL ORDINANCE NO. 16, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Five Thousand Dollars (\$5,000) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2 of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff for a one time reimbursement for one officer assigned to the U.S. Marshal Services' Operation Failed Chance Task Force.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>COUNTY SHERIFF</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-----------------------|--------------------------------------|
| 1. Personal Services | <u>5,000</u> |
| TOTAL INCREASE | 5,000 |

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

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|--|--------------------------------------|
| Unappropriated and Unencumbered State and Federal Grants Fund | <u>5,000</u> |
| TOTAL REDUCTION | 5,000 |

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

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

Proposal No. 75, 2002 was retitled FISCAL ORDINANCE NO. 17, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97 2001) appropriating an additional Twelve Thousand Nine Hundred Twenty-eight Dollars (\$12,928) in the Law Enforcement Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Law Enforcement 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 (l), of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for the purpose of the Marion County Justice Agency to purchase computer equipment for the Marion County Sheriff's Department.

SECTION 2. The sum of Twelve Thousand Nine Hundred Twenty-eight Dollars (\$12,928) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY JUSTICE AGENCY</u> | <u>LAW ENFORCEMENT FUND</u> |
|-------------------------------------|-----------------------------|
| 4. Capital Outlay | <u>12,928</u> |
| TOTAL INCREASE | 12,928 |

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

| | <u>LAW ENFORCEMENT FUND</u> |
|---------------------------------|-----------------------------|
| Unappropriated and Unencumbered | |
| Law Enforcement Fund | <u>12,928</u> |
| TOTAL REDUCTION | 12,928 |

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

Proposal No. 76, 2002 was retitled FISCAL ORDINANCE NO. 18, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97 2001) appropriating an additional Seven Thousand Six Hundred Thirty-one Dollars (\$7,631) in the Law Enforcement Equitable Share Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Law Enforcement Equitable Share 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 (i), of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to purchase computer equipment for the Marion County Sheriff's Department.

SECTION 2. The sum of Seven Thousand Six Hundred Thirty-one Dollars (\$7,631) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY JUSTICE AGENCY</u> | <u>LAW ENFORCEMENT EQUITABLE SHARE FUND</u> |
|-------------------------------------|---|
| 4. Capital Outlay | <u>7,631</u> |
| TOTAL INCREASE | 7,631 |

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

| | <u>LAW ENFORCEMENT EQUITABLE SHARE FUND</u> |
|--------------------------------------|---|
| Unappropriated and Unencumbered | |
| Law Enforcement Equitable Share Fund | <u>7,631</u> |
| TOTAL REDUCTION | 7,631 |

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

Proposal No. 77, 2002, as amended, was retitled FISCAL ORDINANCE NO. 19, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97 2001) appropriating an additional Three Hundred Forty-nine Thousand Six Hundred Dollars (\$349,600) in the Forensic Services Training Fund for purposes of the County Auditor and Forensic Services Agency and reducing the unappropriated and unencumbered balance in the Forensic Services Training 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 (e) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Forensic Services Agency to appropriate current and anticipated training fees to carry out the functions and duties of the laboratory.

SECTION 2. The sum of Three Hundred Forty-nine Thousand Six Hundred Dollars (\$349,600) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>COUNTY AUDITOR</u> | <u>FORENSIC SERVICES TRAINING FUND</u> |
|-------------------------------------|--|
| 1. Personal Services-fringes | 21,600 |
| <u>FORENSIC SERVICES AGENCY</u> | |
| 1. Personal Services | 72,000 |
| 2. Supplies | 20,000 |
| 3. Other Services and Charges | 136,000 |
| 4. Capital Outlay | <u>100,000</u> |
| TOTAL INCREASE | 349,600 |

SECTION 4. The said additional appropriation is funded by the following reductions, only to the extent of available fund balances:

| | <u>FORENSIC SERVICES TRAINING FUND</u> |
|---------------------------------|--|
| Unappropriated and Unencumbered | |
| Forensic Services Training Fund | <u>349,600</u> |
| TOTAL REDUCTION | 349,600 |

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 574, 2001. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 574, 2001 on November 13, 2001, January 15, 2002, and February 12, 2002. The proposal, sponsored by Councillors Short and Massie, recognizes that the City of Indianapolis and the State of Indiana should observe Daylight Saving Time. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Massie said that the change to Daylight Savings Time would provide many benefits as the time zone impacts many businesses and the change would help attract new companies to the

area. He added that although Councillor Short is not present this evening, as a co-sponsor, he is obviously in support of the proposal.

Councillor Sanders asked what the State's position is on this change. Councillor Massie said that he does not believe they yet have a position, and the passage of the proposal would urge the City to encourage the State to make the change.

Councillor Dowden moved, seconded by Councillor Smith, to insert "Central" before Daylight Savings Time in the proposal. The motion failed on the following roll call vote, viz:

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

President SerVaas said that this proposal would put Indianapolis more in tune with Eastern time and neighboring states and cities, except for Chicago.

Councillor Massie moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 574, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 574, 2001 was retitled SPECIAL RESOLUTION NO. 15, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 2002

A SPECIAL RESOLUTION recognizing that the City of Indianapolis and the State of Indiana should observe Daylight Saving Time (DST).

WHEREAS, 82 counties and approximately 82 percent of the state's population lies within the Eastern Time Zone; and

WHEREAS, the 10 Indiana counties located in the Central Time Zone already enjoy Daylight Saving Time, as do five southeastern Indiana counties which have adopted Eastern Daylight Time without state legal authority; and

WHEREAS, this creates, in effect, three different timekeeping zones within Indiana, and a considerable amount of confusion for businesses and travelers; and

WHEREAS, the current policy of exempting Indiana from Daylight Saving Time serves as a self-imposed barrier to new investment, and a competitive disadvantage for current Indiana employers; and

WHEREAS, we all have a stake in making Indiana as competitive as possible in attracting and growing job opportunities, now and in the future; and

WHEREAS, if Indiana observed DST, Hoosiers would realize other advantages as well, including more time after work and school for recreation, family events, sports and other activities; and

WHEREAS, simply moving all of Indiana into Daylight Saving Time, regardless of the time zone boundary, will represent an important step forward in strengthening our economy; and

WHEREAS, if Indiana extends Daylight Saving Time to the 77 counties now on year-around Standard Time, sunset will take place one hour later than it does today between the first Sunday in April and the last Sunday in October; and

WHEREAS, because of this effect, numerous studies have shown that individuals, businesses and units of government in areas with Daylight Saving Time save on energy costs that are not needed to pay for additional evening lighting; and

WHEREAS, research shows that crime rates and accidents involving motor vehicles and pedestrians, would both be reduced due to increased evening daylight; and

WHEREAS, because Daylight Saving Time has been linked to increased retail sales and is expected to have a positive long-term effect on the economic development of the City of Indianapolis, additional tax revenue and decreased costs could be an anticipated result; 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 that the City of Indianapolis and the State of Indiana would greatly benefit from observing Daylight Saving Time.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor Boyd asked where this issue goes from here. Councillor Massie said that this proposal will help the City to keep nudging the State to make the change.

PROPOSAL NO. 78, 2002. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 78, 2002 on February 21, 2002. The proposal, sponsored by Councillor Nytes, authorizes intersection controls on 27th and 28th Streets at Shriver Avenue (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Nytes, for adoption. Proposal No. 78, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Gray, SerVaas, Talley

1 ABSENT: Short

Proposal No. 78, 2002 was retitled GENERAL ORDINANCE NO. 27, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 2002

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> |
|-----------------|-----------------------------------|---------------------|------------------------|
| 18 | 27 th St Shriver Av | Shriver Av | Stop |
| 18 | 28 th St Shriver Av | Shriver Av | Stop |

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

NEW BUSINESS

Councillor Cockrum said that there is a new Indianapolis-Scarborough Peace Games website which can be found at www.indypeacegames.com.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Short, Boyd, Gibson, Gray, and Nytes in memory of Ada Marie Johnson; and
- (2) Councillor Talley in memory of Katherine Turner, Claudia B. Minion Gardner, and Lillie Mae Kelly Winston; and
- (3) Councillors Brents and Black in memory of Mary A. Artist; and
- (4) Councillor Langsford in memory of Frederick Caylor; and
- (5) Councillor Tilford in memory of Dr. Charles Gale; and
- (6) Councillor Sanders in memory of Henry Fon and Dr. Paul Stark.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ada Marie Johnson, Katherine Turner, Claudia B. Minion Gardner, Lillie Mae Kelly Winston, Mary A. Artist, Frederick Caylor, Dr. Charles Gale, Henry Fon, and Dr. Paul Stark. 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 8:00 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th day of February, 2002.

February 25, 2002

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)