

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

**REGULAR MEETINGS
MONDAY, MARCH 18, 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 7:07 p.m. on Monday, March 18, 2002, with President SerVaas presiding.

Councillor Short introduced Monsignor Joseph Schaedel, pastor of Holy Rosary Catholic Church and Vicar General of the Archdiocese of Indianapolis, who led the opening prayer. Councillor Short then invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Sanders recognized members of the Service Employees International Union (SEIU), Local 131.

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, March 18, 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

February 27, 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* and in the *Indianapolis Star* on Friday, March 1, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 89-91, 97, 100, and 101, 2002, said hearing to be held on Monday, March 18, 2002, at 7:00 p.m. in the City-County Building.

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

March 4, 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. 15, 2002 - 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.)

FISCAL ORDINANCE NO. 17, 2002 - 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

FISCAL ORDINANCE NO. 18, 2002 - 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

FISCAL ORDINANCE NO. 19, 2002 - 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

GENERAL ORDINANCE NO. 27, 2002 - authorizes intersection controls on 27th and 28th Streets at Shriver Avenue (District 22)

SPECIAL RESOLUTION NO. 12, 2002 - recognizes the contributions of Dr. Jeffrey P. Bonner, President and Chief Executive Officer of the Indianapolis Zoological Society from 1993 to 2002

SPECIAL RESOLUTION NO. 13, 2002 - recognizes long time civic leader James T. Morris

SPECIAL RESOLUTION NO. 14, 2002 - welcomes the new Home Depot home improvement store to 2225 North Post Road and the two other Indianapolis locations

SPECIAL RESOLUTION NO. 15, 2002 - recognizes that the City of Indianapolis and the State of Indiana should observe Daylight Saving Time

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 25, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 80, 2002. The proposal, sponsored by Councillor Coughenour, remembers the life and contributions to Indianapolis by civil engineer Ronald Wukasch. Councillor Coughenour read the proposal and presented Ruth Wukasch with a copy of the document and a Council pin. Ms. Wukasch thanked the Council for the honor and stated that her husband loved the City of Indianapolis greatly. Councillor Coughenour moved, seconded by Councillor Conley, for adoption. Proposal No. 80, 2002 was adopted by a unanimous voice vote.

Proposal No. 80, 2002 was retitled SPECIAL RESOLUTION NO. 16, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 2002

A SPECIAL RESOLUTION remembering the life and contributions to Indianapolis by civil engineer Ronald Wukasch.

WHEREAS, Dr. Ronald Wukasch was first and foremost a man of principle and quality who chose environmental engineering as his career and was a passionate and rigorous teacher and mentor to generations of Purdue students; and

WHEREAS, he served as an inspirational problem solver and mentor to business and government leaders, and was internationally recognized and admired for his innovative environmental engineering skills and common sense—having served in England and Australia; and

WHEREAS, he was instrumental in leading the nation's first and predominant annual industrial waste treatment conference at Purdue, whose subsequent conferences have spawned hundreds of critical technical advancements that improve our environment; and

WHEREAS, Dr. Wukasch received an Outstanding Civil Engineering Professor Award three times, and in 1991, was named the Outstanding Civil Engineer Of The Year by the Indiana Society of Civil Engineers; and

WHEREAS, Dr. Wukasch provided decades of valuable service to the City of Indianapolis in solving the substantial engineering challenges faced in managing the City's wastewater and solid waste in an environmentally-sound, cost-effective manner, thereby inspiring the construction of world-class facilities for advanced waste water treatment and resource recovery by mass burn of municipal solid waste; 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 mourns the loss of Dr. Ronald Wukasch, and remembers, and continues to benefit from, his work with and for our City and expresses its profound sadness at the loss of a great friend.

SECTION 2. The Council extends its heartfelt gratitude and sympathy to Ron's widow, Ruth, to their children Matthew, Gretchen and Kate, and to their grandchildren.

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. 137, 2002. The proposal, sponsored by Councillors Moriarty Adams and Langsford, recognizes the Centennial Anniversary of Indianapolis' annexation of Irvington. Councillor Langsford read the proposal and presented representatives with copies of the document and Council pins. Councillor Moriarty Adams said that Irvington has contributed much to the City of Indianapolis and the area continues to have a very active Community Council. Paul Diebold, president of the Irvington Historical Society, shared some of the history of Irvington and its architecture. He encouraged the Council to support a forthcoming proposal to designate the area as a historic district. Jud West, president of the Historic Irvington Council, thanked the Council for the recognition. Councillor Langsford moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 137, 2002 was adopted by a unanimous voice vote.

Proposal No. 137, 2002 was retitled SPECIAL RESOLUTION NO. 17, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 2002

A SPECIAL RESOLUTION recognizing the Centennial Anniversary of Indianapolis' annexation of Irvington.

WHEREAS, five years after the Civil War the community of Irvington was established on 320 acres east of Indianapolis as an idyllic residential suburb by its founders Jacob Julian and Sylvester Johnson; and

WHEREAS, Irvington's early residents desired to be incorporated as a town which was accomplished in 1873, and with the relocation of Butler University Irvington subsequently grew to become the "Classic Suburb"; and

WHEREAS, Irvington's residents governed themselves with pride for many years acquiring numerous public improvements in the town; and

WHEREAS, to secure additional civic advantages, including better fire protection, an adequate water supply, improved educational opportunities, access to health and sanitary services, and the prestige of being "Citizens of Indianapolis", Irvington agreed to be annexed into the City of Indianapolis with an ordinance by the City's Common Council, and signed by Mayor Charles Bookwalter on March 14, 1902; 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 pauses to recognize the 132 year life of Irvington—a vital Eastside neighborhood—and the Centennial Anniversary of Irvington's becoming an important part of the City of Indianapolis.

SECTION 2. Today Irvington stands proud of its rich heritage, with special event days, restored houses, the Marion County Children's Guardian Home, antique malls and other small businesses, active community organizations, churches, notable parks, and a strong sense of neighborhood pride; and the Council wishes historic Irvington the very best for generations to come.

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

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

PROPOSAL NO. 138, 2002. The proposal, sponsored by Councillors Gibson and Short, recognizes The Children's Museum of Indianapolis. Councillor Gibson read the proposal and presented representatives with copies of the document and Council pins. Dr. Jeffrey Patchen, president and chief executive officer of the museum, thanked the Council for the recognition and introduced youth volunteers Megan James and Ashley Cole. Ms. James and Ms. Cole, members of the Children's Museum Youth Advisory Council, thanked the Council for their support and encouraged them to visit the museum. Hans Steck, chairman of the Board of Trustees, thanked the Council for the recognition and thanked the staff and volunteers of the Children's Museum for making the museum a world-class organization. Councillor Gibson moved, seconded by Councillor Short, for adoption. Proposal No. 138, 2002 was adopted by a unanimous voice vote.

Proposal No. 138, 2002 was retitled SPECIAL RESOLUTION NO. 18, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 2002

A SPECIAL RESOLUTION recognizing The Children's Museum of Indianapolis.

WHEREAS, In February, "Child" magazine reported the results of their newest survey that ranked children's museums, and the new poll confirmed what Indianapolis people had known all along; that The Children's Museum of Indianapolis is America's largest and highest rated of all the 200 museums that are designed for kids; and

WHEREAS, the local Children's Museum was the inspiration of Mary Stewart Carey in 1925, opening first in a carriage house in the city's Old Northside, then later at the Garfield Park Shelter House, and in 1946, the Museum moved to the St. Clair Parry mansion at 30th and Meridian Streets where it has since grown to a 356,000 square foot complex on 13 acres; and

WHEREAS, for three-fourths of a century the Museum's emphasis has been to serve as an educational and entertaining experience for young people and families, and today The Children's Museum hosts 14 major exhibits, displays 10,000 artifacts including a 55-ton steam engine and a working 1920's carousel, a planetarium, a large format film theater, and in the works is "Dinosphere", an exhibit to house the third most complete *T. rex* dinosaur in the world; and

WHEREAS, the Museum has joined forces with neighbors as a catalyst to revitalize the neighborhood, and in the process is putting an exclamation point to Indy's new economic development emphasis of becoming a world class arts and culture destination city; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates The Children's Museum of Indianapolis for their newest national recognition of being named the best in America.

SECTION 2. Indianapolis has been enriched by the vision of some civic minded women in the 1920's, and continuing through the legions of volunteers year after year, to the professional staff, generous endowments, the Guild, the million visitors a year, its Children's Museum dues-paying members, the Board of Trustees, and President & CEO Dr. Jeffrey Patchen who ties it all together.

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. 139, 2002. The proposal, sponsored by Councillors Coonrod and Dowden, recognizes and thanks Indiana State Treasurer Tim Berry for his innovative \$5 million state assistance for Indianapolis police and fire pension funding. Councillor Coonrod read the proposal and presented Mr. Berry with a copy of the document and a Council pin. Dave Young, Fraternal Order of Police, thanked Mr. Berry for his innovativeness and said that this helps free up police funds for other much-needed expenses. Mr. Berry said that the total assistance for the 129 cities

and towns in Indiana was \$22.5 million, and he was glad to do all he could to help Hoosier heroes and taxpayers. Councillor Coonrod moved, seconded by Councillor Dowden, for adoption. Proposal No. 139, 2002 was adopted by a unanimous voice vote.

Proposal No. 139, 2002 was retitled SPECIAL RESOLUTION NO. 19, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 2002

A SPECIAL RESOLUTION recognizing and thanking Indiana State Treasurer Tim Berry for his innovative \$5 million state assistance for Indianapolis police and fire pension funding.

WHEREAS, during the Great Depression of the 1930's, the State of Indiana created the Public Deposit Insurance Fund to protect local government deposits against bank failures; and

WHEREAS, also during the 1930's, the state created a retirement program for career city police and firefighters; and

WHEREAS, over the years, the bank fund has grown to over \$300 million, with only \$1.6 million having ever been paid out in the history of the program, but the public safety officer's pension program was set up actuarially unsound until it was finally revised by the Legislature in 1977; and

WHEREAS, to help relieve the significant pre-1977 pension financial burden upon local communities, State Treasurer Tim Berry, who serves as Secretary-Investment Manager for the board that oversees the Public Deposit Insurance Fund, successfully appealed to the Legislature to use some of the interest from the seldom-used bank failure fund to help cities across the state with their police and fire pension budgets which are squeezing other city departments and causing tremendous pressures for property tax increases; and

WHEREAS, from this innovative idea, and a receptive Legislature, the City of Indianapolis will receive \$5,319,912 this year for police and fire pension relief; 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 Indiana State Treasurer Tim Berry for his leadership and work beyond the normal dictates of duty to help Indianapolis and 128 other jurisdictions across the state with their local police and fire pension funding problems.

SECTION 2. This action is an outstanding example of vision and leadership that reflects the highest credit upon those whom we elect to manage our public affairs.

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. 140, 2002. The proposal, sponsored by Councillor Conley, recognizes motivator and Hoosier Minority Chamber of Commerce President Linda Clemons. Councillor Conley read the proposal and presented Ms. Clemons with a copy of the document and a Council pin. Ms. Clemons thanked the Council for the recognition. Councillor Conley moved, seconded by Councillor Talley, for adoption. Proposal No. 140, 2002 was adopted by a unanimous voice vote.

Proposal No. 140, 2002 was retitled SPECIAL RESOLUTION NO. 20, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 2002

A SPECIAL RESOLUTION recognizing motivator and Hoosier Minority Chamber of Commerce President Linda Clemons.

WHEREAS, local personality Linda Clemons is making a big impact on the Indianapolis scene; and

WHEREAS, she is a motivational speaker, conducts workshops, and is the founder of "It's a Sistah Thang", a motivational forum in high schools and colleges that promotes spiritual, mental and emotional connectedness among women; and

WHEREAS, she is the Founder and President of Linda Clemons Productions, a motivational development and sales training seminar for business and schools, and is the founder of the Temple Cleansing Program, a weight management program; and

WHEREAS, Ms. Clemons is President of the new Hoosier Minority Chamber of Commerce where she has implemented minority business development programs including the state's first Hoosier Minority Speaker's Bureau; and

WHEREAS, beyond publishing a cookbook, she is host to Sistah Talk on WTLC radio, is a regular on Fox 59 TV show's Bargain Diva, and is listed in Who's Who directories; 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 inspiring local citizen Linda Clemons.

SECTION 2. May her talents and personal motivation radiate a strong message about leading a full life and overcoming obstacles to many people in the years ahead.

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

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

President SerVaas stated that Proposal Nos. 713, 714, 719, 720, and 724, 2001 and Proposal Nos. 53, 70, 71, 87, 94, 95, 96, and 99, 2002 are all board appointments that passed out of their respective committees with unanimous do pass recommendations. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 713, 2001. The proposal, sponsored by Councillor Borst, reappoints Larry J. Barrett to the Beech Grove Economic Development Commission. PROPOSAL NO. 714, 2001. The proposal, sponsored by Councillor Borst, reappoints C. Richard Petticrew to the Indianapolis Economic Development Commission. PROPOSAL NO. 719, 2001. The proposal, sponsored by Councillor Borst, reappoints Lincoln Plowman to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 720, 2001. The proposal, sponsored by Councillor Borst, reappoints J. Darrell Bakken to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 724, 2001. The proposal, sponsored by Councillor Borst, reappoints Phyllis Carr to the Urban Enterprise Association. PROPOSAL NO. 53, 2002. The proposal, sponsored by Councillor Tilford, reappoints Philip Borst to the Capital Improvements Board of Managers. PROPOSAL NO. 70, 2002. The proposal, sponsored by Councillor Smith, appoints Mac J. Martin to the Board of Zoning Appeals Division II. PROPOSAL NO. 71, 2002. The proposal, sponsored by Councillor Smith, appoints James R. Holden to the Public Housing Board. PROPOSAL NO. 87, 2002. The proposal, sponsored by Councillor Cockrum, appoints Alan Wiseman to the Indianapolis City Market Corporation Board of Directors. PROPOSAL NO. 94, 2002. The proposal, sponsored by Councillor Borst, reappoints Paul E. Ferguson to the Wellfield Education Corporation. PROPOSAL NO. 95, 2002. The proposal, sponsored by Councillor Borst, reappoints Kathryn Rietmann to the Wellfield Education Corporation. PROPOSAL NO. 96, 2002. The proposal, sponsored by Councillor Borst, reappoints John Schuler to the Wellfield Education Corporation. PROPOSAL NO. 99, 2002. The proposal, sponsored by Councillors Nytes and Boyd, appoints Phyllis Gabovitch to the Indianapolis City Market Corporation Board

of Directors. Councillor Borst moved, seconded by Councillor Boyd, for adoption. Proposal Nos. 713, 714, 719, 720, and 724, 2001 and Proposal Nos. 53, 70, 71, 87, 94, 95, 96, and 99, 2002 were adopted by a unanimous voice vote.

Proposal No. 713, 2001 was retitled COUNCIL RESOLUTION NO. 42, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 2002

A COUNCIL RESOLUTION reappointing Larry J. Barrett to the Beech Grove Economic Development Commission.

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 Beech Grove Economic Development Commission, the Council reappoints:

Larry J. Barrett

SECTION 2. The appointment made by this resolution is for a term ending January 31, 2005. 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. 714, 2001 was retitled COUNCIL RESOLUTION NO. 43, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 2002

A COUNCIL RESOLUTION reappointing C. Richard Petticrew to the Indianapolis Economic Development Commission.

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

SECTION 1. As a member of the Indianapolis Economic Development Commission, the Council reappoints:

C. Richard Petticrew

SECTION 2. The appointment made by this resolution is for a term ending January 31, 2005. 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. 719, 2001 was retitled COUNCIL RESOLUTION NO. 44, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 2002

A COUNCIL RESOLUTION reappointing Lincoln Plowman to the Metropolitan Board of Zoning Appeals Division III.

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 Metropolitan Board of Zoning Appeals Division III, the Council reappoints:

Lincoln Plowman

March 18, 2002

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. 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. 720, 2001 was retitled COUNCIL RESOLUTION NO. 45, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 2002

A COUNCIL RESOLUTION reappointing J. Darrell Bakken to the Metropolitan Board of Zoning Appeals Division III.

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 Metropolitan Board of Zoning Appeals Division III, the Council reappoints:

J. Darrell Bakken

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. 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. 724, 2001 was retitled COUNCIL RESOLUTION NO. 46, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 2002

A COUNCIL RESOLUTION reappointing Phyllis Carr to the Urban Enterprise Association.

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 Urban Enterprise Association, the Council reappoints:

Phyllis Carr

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. 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. 53, 2002 was retitled COUNCIL RESOLUTION NO. 47, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 2002

A COUNCIL RESOLUTION reappointing Philip Borst to the Capital Improvements Board of Managers.

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 Capital Improvements Board of Managers, the Council reappoints:

Philip Borst

SECTION 2. The appointment made by this resolution is for a term ending January 14, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 70, 2002 was retitled COUNCIL RESOLUTION NO. 48, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 2002

A COUNCIL RESOLUTION appointing Mac J. Martin to the Board of Zoning Appeals Division II.

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 Zoning Appeals Division II, the Council appoints:

Mac J. Martin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. 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. 71, 2002 was retitled COUNCIL RESOLUTION NO. 49, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2002

A COUNCIL RESOLUTION appointing James R. Holden to the Public Housing Board.

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

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

James R. Holden

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. 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. 87, 2002 was retitled COUNCIL RESOLUTION NO. 50, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 2002

A COUNCIL RESOLUTION appointing Alan Wiseman to the Indianapolis City Market Corporation Board of Directors.

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

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Alan Wiseman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. 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. 94, 2002 was retitled COUNCIL RESOLUTION NO. 51, 2002, and reads as follows:

March 18, 2002

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 2002

A COUNCIL RESOLUTION reappointing Paul E. Ferguson to the Wellfield Education Corporation.

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 Wellfield Education Corporation, the Council reappoints:

Paul E. Ferguson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 95, 2002 was retitled COUNCIL RESOLUTION NO. 52, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 2002

A COUNCIL RESOLUTION reappointing Kathryn Rietmann to the Wellfield Education Corporation.

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 Wellfield Education Corporation, the Council reappoints:

Kathryn Rietmann

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 96, 2002 was retitled COUNCIL RESOLUTION NO. 53, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 2002

A COUNCIL RESOLUTION reappointing John Schuler to the Wellfield Education Corporation.

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 Wellfield Education Corporation, the Council reappoints:

John Schuler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 99, 2002 was retitled COUNCIL RESOLUTION NO. 54, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 2002

A COUNCIL RESOLUTION appointing Phyllis Gabovitch to the Indianapolis City Market Corporation Board of Directors.

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

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Phyllis Gabovitch

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2002. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 109, 2002. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Shawna Meyer Eikenberry as hearing officer"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 110, 2002. Introduced by Councillors Black and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a minimum wage level for city and county employees, employees of certain local government contractors and those entities receiving property tax incentives"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 111, 2002. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Sue Beesley to the City County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 112, 2002. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$19,600 in the 2002 Budgets of the County Auditor and the Cooperative Extension Service (County Grants Fund) to fund Character Education at after-school sites within the Indianapolis Public School system, funded by a grant from the Indianapolis Board of School Commissioners"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 113, 2002. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints David B. Sears to the Speedway Economic Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 114, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which amends Council Resolution No. 21, 2000 to correct the term of Al Polin as a member of the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 115, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves a re-appropriation of \$42,575 in the 2002 Budget of the Department of Public Safety, Fire Division (Federal Grants Fund) to manage the FEMA Urban Search and Rescue Task Force - 1, funded by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 116, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates the Department of Corrections'

increase of \$22,792 in the 2002 Budget of Community Corrections (Home Detention Fund) for FY 2001-02"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 117, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$650,000 in the 2002 Budget of Community Corrections (Home Detention Fund) to fund the housing of felons in the Corrections Center Component, funded by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 118, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$25,000 in the 2002 Budget of the Marion County Justice Agency (Conditional Release Fund) to provide funds for the redesign project of the Conditional Release Office"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 120, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which approves an appropriation of \$258,000 in the 2002 Budget of the Department of Public Works, Operations Division (Solid Waste Collection Service District Fund) to pay for 2001 expenses as well as anticipated 2002 expenses for temporary labor services, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 121, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a re-appropriation of \$330,000 in the 2002 Budget of the Department of Public Works, Operations Division (Solid Waste Disposal Fund) to pay prior year expenditures in order to maintain current year expenditures from the current year budget, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 122, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$205,000 in the 2002 Budget of the Department of Public Works, Operations Division (Sanitation Liquid Waste Fund) to pay prior year expenditures for sewer billing services in order to maintain current year expenditures from the current year budget, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 123, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,665,000 in the 2002 Budget of the Department of Public Works, Operations Division (Sanitation Liquid Waste Fund) to pay prior year expenditures for wastewater collection services in order to maintain current year expenditures from the current year budget, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 124, 2002. Introduced by Councillors Brents and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the Department of Public Works to implement a parking meter blockout on Monument Circle on May 24, 2002"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 125, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 86th Street and

Castleton Square Mall West Drive (Districts 4, 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 126, 2002. Introduced by Councillors Smith and Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Emerson Avenue, Commerce Square, and McFarland Boulevard (Districts 23, 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 127, 2002. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Nathan Lane and Nathan Place (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 128, 2002. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Country Club Boulevard and Kayla Drive (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 129, 2002. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Traditions of Westmont Park Subdivision (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 130, 2002. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 26th Street and Franklin Place (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 131, 2002. Introduced by Councillor Douglas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 23rd Street and DeQuincy Street (District 10)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 132, 2002. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Central Avenue and 58th Street (District 7)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 133, 2002. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Ransdell Street from Pleasant Run Parkway N. Drive to Raymond Street (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 134, 2002. Introduced by Councillor Soards. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Northwest Boulevard from 84th Street to 86th Street (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 135, 2002. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way southbound on Downey Avenue from Julian Avenue to Washington Street; and authorizes parking restrictions on

Downey Avenue, on the west side, from a point 30 feet south of Julian Avenue to Washington Street (District 13)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 136, 2002. Introduced by Councillors Massie and Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of parking restrictions for Sear Terrace between Palo Verde Drive and Paso Del Norte Drive (Districts 20, 24)"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 141, 2002, PROPOSAL NO. 142, 2002, PROPOSAL NOS. 143-147, 2002, and PROPOSAL NOS. 148-150, 2002. Introduced by Councillor Smith. Proposal No. 141, 2002, Proposal No. 142, 2002, Proposal Nos. 143-147, 2002, and Proposal Nos. 148-150, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on March 13 and 14, 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. 24-33, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 24, 2002.

2001-ZON-150

11850 EAST 38TH STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

KEITH A. RUSSELL requests a rezoning of 20.6 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 25, 2002.

2001-ZON-114

8630 BLUFF ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

ACTION ELECTRIC INC., by Michael J. Kias, requests a rezoning of 3.44 acres, being in the D-A (FF) (FW) (W-1) and SU-1 (FF) (FW) (W-1) Districts, to the C-S (FF) (FW) (W-1) classification to provide for an electrical contractor.

REZONING ORDINANCE NO. 26, 2002.

2001-ZON-026

3510 SOUTH POST ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

TRIANGLE PROPERTIES, LLC, by David A. Retherford, requests a rezoning of 4.175 acres, being in the C-6 District, to the C-7 classification to provide for truck sales and related uses.

REZONING ORDINANCE NO. 27, 2002.

2001-ZON-135

7401 SOUTH FRANKLIN ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

BAY DEVELOPMENT CORPORATION, by David A. Retherford, requests a rezoning of 29.418 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 28, 2002.

2001-ZON-142

5609-5651 WEST 86TH STREET (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

THE MONY LIFE INSURANCE COMPANY OF NEW YORK AND RTM INDIANAPOLIS. INC., by Mary E. Solada, request a rezoning of 2.098 acres, being in the C-3 District, to the C-4 classification to provide for a retail tire center and carwash.

REZONING ORDINANCE NO. 29, 2002.

2001-ZON-163

2257, 2258, 2261, 2264, 2301, 2302, 2305, and 2306 NORTH TALBOT STREET and 121 EAST 23RD STREET (Approximate Addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 1.03 acres, being in the C-1 (W-5) District, to the D-8 (W-5) classification to provide for the development of single-family dwellings within Fall Creek Place.

REZONING ORDINANCE NO. 30, 2002.

2001-ZON-167

1545 AND 1549 EAST 38TH STREET, 3750 FALL CREEK PARKWAY NORTH DRIVE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 6

INSIGHT ENGINEERING, INC. requests a rezoning of 0.724 acre, being in the D-5 (W-5) and C-3 (W-5) District, to the C-4 (W-5) classification to provide for a gasoline station and car wash.

REZONING ORDINANCE NO. 31, 2002.

2001-ZON-152

747 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

LYLE FEIGENBAUM requests a rezoning of 0.41 acre, being in the I-3-U District, to the CBD-2 classification to provide for an off-street parking lot.

REZONING ORDINANCE NO. 32, 2002.

2002-ZON-002

3237 WEST 16TH STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

SAINTS CONSTANTINE and ELENA ORTHODOX CHURCH (BISCERICA ROMANA CHURCH) requests a rezoning of 4.72 acres, being in the D-5 & C-4 Districts, to the SU-1 classification to legally establish religious uses.

REZONING ORDINANCE NO. 33, 2002.

2002-ZON-006

315-329 SOUTH NEW JERSEY STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

LIKE REALTY, by David R. Warshauer, requests a rezoning of 0.5 acre, being in the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for central business district uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 101, 2002. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 101, 2002 on March 14, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, approves the issuance of one or more series of City of Indianapolis, Indiana Waterworks District Revenue Bonds (Bonds) and, if necessary, 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. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Coonrod said that he feels US Filter and many other companies would have come to the City with their own \$625 million, acquired the company, and operated it at their own risk, without the City having to make an investment. He said that the Indianapolis Water Company is a perfectly good water company and has never been locally owned. The City is proposing to borrow the \$625 million and hand the company over to US Filter, practically guaranteeing US Filter a profit. He said that in order to pay back these bonds the City will have to either raise rates or cut personnel. He said that the other bidder complied with the request to keep the employees

whole and guarantee full compensation, retirement, and benefits, as the City promised last July. Instead US Filter made a proposal to cut those costs and scored higher by the City's consultants due to these cost savings, contrary to the request for proposal (RFP). Even with these contradictions, US Filter offered a proposal that has a higher cost overall. Councillor Coonrod said that he received a letter from Robert Reed from the National Conference of Firemen and Oilers which stated that it would be hard to convince employees and members of the community that the terms of this sale were not politically motivated. He added that it would be hard to convince himself of the same thing.

Councillor Coughenour said that there is a guarantee in the contract for no raise in water rates for five years. She said that when all factors were weighed, US Filter was the best bid for the money. US Filter has testified that there will be no change to any benefits the union personnel are now receiving, and the audience and Councillor Coonrod do not seem to understand this. She said that the union contract is due to be re-negotiated in December 2003, and US Filter testified that nothing would be signed that did not satisfy both sides. Councillor Coughenour said that the letter to which Councillor Coonrod referred was written before her Committee hearing, and therefore a representative from US Filter may be able to clear up some of these issues as they did in Committee. There is no guarantee that if an outside company bought the water company that they would do any better for the employees or provide any guarantees.

Jim King, Senior Vice President of US Filter's Operating Services, said that US Filter has great respect for Local 131, and with respect for the rules of the procurement, have not been able to have discussions with them, as yet. He said that US Filter will respect the collective bargaining agreement that is in place currently and there will be no change to that agreement unless asked for or accepted by Local 131. John Wood, General Manager of US Filter's Central Business Center, said that US Filter spent a lot of time researching employee issues during this process and are committed to honoring all agreements in place at this time. He said they have some additional programs they would like to introduce that they believe are equal to or better than what is in place at this time, but if not agreed upon, there will be no changes.

Councillor Sanders asked that members of Local 131 be allowed to speak due to the great number of union employees present this evening.

President SerVaas called for public testimony at 8:24 p.m.

Robert Reed, president of Local 131, said that he is concerned that there will be an erosion of current benefits and that union members will have to re-negotiate new contracts that might cause employees to lose benefits. He said that they are concerned about retirement funds and health benefits. He said that it seems this purchase is politically motivated and he does not feel that those who have worked for many years for this company should lose all that they have worked for.

Chris Burton, business agent for Local 131, said that the union contract only represents about half of the water company employees. The employees were promised that their benefits would not change by City officials and the Council. He said that if the billing company is sold, the entire purpose of the purchase will be nullified. He said that the purchase of the water company should not be funded through the pockets of the employees.

Lettie Oliver, American Federation of State, County and Municipal Employees (AFSCME) Council 62 political action director, said that dealings with the unsuccessful bidder, United Water, in the past have resulted in equal benefits and guaranteed employment. She said that the

employees are not assured of this with US Filter, and the employees should have the support of the City they have given their life and time to.

Councillor Schneider said that he feels this purchase has been handled very irresponsibly. He said that the Council has considered other bond issuances for much less money and had extensively more information and input provided before making a decision. He said that he feels this transaction was decided long before the proposals were even introduced, and the process is a slap in the taxpayer's face.

Councillor Coonrod moved, seconded by Councillor Schneider, to postpone Proposal Nos. 101 and 100, 2002 until April 8, 2002. He said that he does not believe the proposals need to be acted on this evening, and he does not feel enough opportunity has been given to really consider this transaction properly.

Councillor Coughenour recognized those present who have spent a lot of time on this project. She said that the Council has a Committee system in place to promote time efficiency, but if a Councillor has an interest in a particular subject, they should make the effort to attend meetings, watch Channel 16, or request a video of the hearings in order to be informed. She said that there has been plenty of time and opportunity to familiarize oneself with this issue, and she feels a postponement is not warranted.

Councillor Horseman said that she will be abstaining on all votes pertaining to Proposal Nos. 100 and 101, 2002 due to a conflict of interest.

The motion to postpone Proposal Nos. 101 and 100, 2002 failed on the following roll call vote; viz:

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

Councillor Coughenour said that this project is one of the best things she has seen the Council approve during all her years of service, and this will bring great benefits to the community.

Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 101, 2002, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 101, 2002, as amended, was retitled GENERAL RESOLUTION NO. 1, 2002, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 2002

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Waterworks District Revenue Bonds (Bonds) and, if necessary, one or more series of bond anticipation notes (BANs) in an aggregate principal amount not to exceed Six Hundred Twenty-Five Million Dollars (\$625,000,000) and approving and authorizing the Management Agreement and other actions in respect thereto.

WHEREAS, the Board of Directors of the Department of Waterworks (Board) of the City of Indianapolis, Indiana (City), being the governing body of the Waterworks District of the City (Waterworks District), on March 5, 2002 adopted a bond resolution, in substantially final form (Bond Resolution), authorizing the issuance of the Bonds of the Waterworks District to be issued in one or more series or issues and BANs of the Waterworks District to be issued in one or more series, in the aggregate principal amount not to exceed Six Hundred Twenty-Five Million Dollars (\$625,000,000), for the purposes of procuring funds to apply to the costs of acquiring a waterworks system for the Waterworks District (Project); and

WHEREAS, IC 36-3-5-8 requires the City-County Council of Indianapolis and of Marion County (City-County Council) to approve the issuance of bonds by any special taxing district of the City; and

WHEREAS, the Waterworks District is a special taxing district of the City pursuant to statute, but the Waterworks District does not intend to levy any property taxes in the Waterworks District; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the Waterworks District as a department of the City created by General Ordinance 112, 2001, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank (Bond Bank); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds and BANs in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, on March 5, 2002, the Board determined pursuant to IC 5-23, subject to approval by the City-County Council, to enter into a management agreement for the operation, expansion, maintenance, repair and management of the waterworks system (Management Agreement); and

WHEREAS, the City-County Council has determined to approve the Management Agreement; and

WHEREAS, the City-County Council has determined that the issuance of the Bonds and BANs by the Waterworks District should be approved; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the issuance and sale to the Bond Bank of the Bonds of the Waterworks District, to be issued in one or more series, and BANs, to be issued in one or more series, in an aggregate principal amount not to exceed Six Hundred Twenty-Five Million Dollars (\$625,000,000) to apply on the costs of the Project, payable solely from the revenues of the waterworks as specified in the Bond Resolution, which is incorporated herein by reference and a copy of which shall be attached to the official copy of this resolution.

SECTION 2. The City-County Council does hereby approve the Management Agreement in substantially the final form of which is incorporated herein by reference and a copy of which shall be attached to the official copy of this resolution.

SECTION 3. The Intergovernmental Agreements, copies of which are attached to the official copy of this resolution, one between the Consolidated City of Indianapolis Board of Waterworks and Marion County and one between the Consolidated City of Indianapolis Department of Waterworks and the Consolidated City of Indianapolis are hereby authorized and approved; and the Mayor is authorized to execute the agreements as chief executive of Marion County and as Mayor of the Consolidated City.

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

PROPOSAL NO. 100, 2002. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 100, 2002 on March 14, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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 of the Waterworks District. 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 8:34 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 100, 2002 was adopted on the following roll call vote; viz:

20 YEAS: Bainbridge, Boyd, Brents, Conley, Coughenour, Douglas, Gibson, Gray, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Soards, Talley, Tilford

7 NAYS: Borst, Bradford, Cockrum, Coonrod, Dowden, Schneider, Smith

1 NOT VOTING: Horseman

1 ABSENT: Black

Councillor Sanders said that she did not take these votes lightly, but she is taking U.S. Filter representatives at their word to insure that the employees will have equal benefits.

Proposal No. 100, 2002 was retitled SPECIAL ORDINANCE NO. 1, 2002, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 2002

A SPECIAL ORDINANCE of the City of Indianapolis amending City-County Special Ordinance No. 5, 1998 relating to certain outstanding City of Indianapolis Economic Development Water Facilities Refunding Revenue Bonds, Series 1998 (Indianapolis Water Company Project) and approving and authorizing certain actions in respect thereto.

WHEREAS, on June 22, 1998, the City-County Council passed its Special Ordinance No. 5, 1998, authorizing the City of Indianapolis to issue its \$10,000,000 City of Indianapolis Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1998 (Indianapolis Water Company Project) (the "1998 Bonds"), and approving and authorizing other actions in respect thereto; and

WHEREAS, on July 29, 1998, the 1998 Bonds were issued and delivered in the principal amount of \$10,000,000 and remain outstanding in that original principal amount; and

WHEREAS, the City intends to purchase and acquire substantially all of the assets and properties of Indianapolis Water Company (and assets and properties of certain of its affiliates), including those assets and properties for which the 1998 Bonds were issued; and

WHEREAS, the City intends to finance the acquisition of such assets and properties with its Waterworks District Net Revenue Bonds, Series 2002 (the "2002 Bonds"), which Bonds will be payable from the net revenues of the City's Waterworks District, a special taxing district, and from certain other funds, but will not constitute a debt or liability of the Waterworks District or the City of Indianapolis under the Constitution and laws of the State of Indiana or a pledge of the faith, credit or taxing power of the City or the Waterworks District; and

WHEREAS, the City and the Waterworks District have determined that it is in the best interests of the City, the Waterworks District and the residents of the City that the 1998 Bonds remain outstanding and become an obligation of the Waterworks District, payable from the Net Revenues of the Waterworks District and certain other funds but not a debt or liability of the Waterworks District or the City of Indianapolis under the Constitution and laws of the State of Indiana or a pledge of the faith, credit or taxing power of the City or the Waterworks District; and

WHEREAS, the Indianapolis Water Company will assign all its rights under or arising in connection with the 1998 Bonds to the Waterworks District and Indianapolis Water Company will be released from all liabilities in connection therewith; now, therefore:

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

SECTION 1. The City hereby authorizes and approves the assignment by IWC of all its rights relating to the 1998 Bonds and arising thereunder or under any document, instrument or agreement executed in connection therewith to the Waterworks District and further authorizes and approves the assumption by the Waterworks District of all obligations and liabilities of IWC evidenced by the Bonds, provided, however, that such obligations and liabilities shall be payable from the net revenues of the Waterworks District and from certain other funds, but will not constitute a debt or liability of the Waterworks District or the City under the Constitution and laws of the State of Indiana or a pledge of the faith, credit or taxing power of the City or the Waterworks District.

SECTION 2. The officers of the City and of the Waterworks District are hereby authorized and directed to execute and deliver all such documents, instruments and agreements as may, in their judgment, be necessary or appropriate to evidence, confirm and complete the assignment and assumption authorized and approved by Section 1 of this special ordinance, which shall include, specifically, an assignment and assumption agreement, a specific acceptance of assignment, a specific assumption or assumptions, an indemnity and one or more bond insurance or other credit enhancement related agreements or documents.

SECTION 3. 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.

Councillor Soards asked for a point of personal privilege to welcome former Mayor William Hudnut, who now serves as Senior Resident Fellow for Public Policy at the Urban Land Institute, to say a few words to the Council. Mr. Hudnut commended the Council for their moral courage in making tough decisions for the betterment of this great City. He wished everyone well and stated that he is now on the other side of the fence, as a member of the Council in Chevy Chase, Maryland, and knows what kind of challenges such a body faces.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 89 and 91, 2002 on February 27, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 89, 2002. The proposal, sponsored by Councillor Dowden, 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 & Dangerous Driving. PROPOSAL NO. 91, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, 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. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President SerVaas called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 89 and 91, 2002 were adopted on the following roll call vote; viz:

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

1 NAY: Brents

2 NOT VOTING: Schneider, SerVaas

1 ABSENT: Black

Proposal No. 89, 2002 was retitled FISCAL ORDINANCE NO. 20, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97 2001) appropriating an additional Five Thousand Six Hundred Eight Dollars (\$5,608)

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 to purchase 4 (four) radar units and 14 (fourteen) personal breath testers.

SECTION 2. The sum of Five Thousand Six Hundred Eight Dollars (\$5,608) 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>
2. Supplies	<u>5,608</u>
TOTAL INCREASE	5,608

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>5,608</u>
TOTAL REDUCTION	5,608

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. 91, 2002 was retitled FISCAL ORDINANCE NO. 21, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 95, 2001) appropriating an additional Three Thousand Eight Hundred Twenty-five Dollars (\$3,825) in the Consolidated County Fund for purposes of the Department of Public Safety, Animal Care and Control Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Animal Care and Control Division, to purchase bedding and mats for the animals at the shelter from donations made for that purpose.

SECTION 2. The sum of Three Thousand Eight Hundred Twenty-five Dollars (\$3,825) 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>ANIMAL CARE AND CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Materials and Supplies	<u>3,825</u>
TOTAL INCREASE	3,825

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>3,825</u>
TOTAL REDUCTION	3,825

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

PROPOSAL NO. 97, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 97, 2002 on February 27, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, determines that the execution of an amendment (Arrestee Processing Center) to the Lease for Jail II is necessary. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Dowden said that due to the mandate, the cost of not following through with this process will far exceed the cost of this project. Also, the City faces the threat of having to turn more prisoners loose.

Councillor Nytes said that she believes the Council needs to re-think moving forward on this project. She said that the parties have made excellent progress on the neighborhood issues, but she is still concerned about financial repayment of the project. She moved, seconded by Councillor Douglas, to postpone Proposal No. 97, 2002 until a fiscal repayment plan has been identified.

Councillor Dowden said that many individuals have been working on this project for some time, including financial people. He said that the City is now under a federal court order, and public safety needs to be addressed. He said that doing nothing will be far more expensive and could result in being held in contempt of a federal court order.

Councillor Gibson asked the Auditor how these bonds will be repaid. Marty Womacks, County Auditor, said that a repayment source has not yet been specifically identified. She said that she expects that she will have some options to present to the Council in the next few weeks. She said that she is more concerned about the possible \$4.1 million fine that might be imposed if a financial solution is not found to this project, and she is confident a solution will be found.

Councillor Conley asked if a postponement could give Ms. Womacks a time to come back to the Committee with a specific repayment plan. Ms. Womacks said that she does not know that the Auditor's Office will be prepared to present these plans before the hearing in April before Judge Barker regarding the mandate. She said at that hearing, the County must provide proof that they are moving forward in rectifying the lock-up overcrowding issue. Robert Elrod, General Counsel, said that the court hearing is before or shortly after the next Council meeting, and without this proposal, the County may be found in contempt by the judge. He said that this particular proposal does not deal with the financing of the project, but simply amends the lease. Tax rates and budget numbers will probably not be known until the budget process begins in

August. He said that he assumes the financial aspect of this project will be addressed and solved during the budget process.

Councillor Horseman said that she will abstain from voting on this proposal due to a conflict of interest.

The motion to postpone Proposal No. 97, 2002, until a financial plan is in place failed by the following roll call vote; viz:

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

President SerVaas called for public testimony at 9:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 97, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 97, 2002 was retitled GENERAL ORDINANCE NO. 29, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 2002

A GENERAL ORDINANCE approving a form of a lease amendment, authorizing the execution of such lease amendment and ratifying actions taken in connection therewith.

WHEREAS, Marion County, Indiana (the "County"), has previously entered into a lease (the "Original Lease") for the Leased Premises (as defined in the Lease Amendment referred to below), which annual lease rentals are used to pay the principal of, and interest on the Indianapolis-Marion County Building Authority Jail Building Bonds of 1997 (the "1997 Bonds"); and

WHEREAS the County and the Indianapolis-Marion County Building Authority (the "Building Authority") have given consideration to the renovation of the warehouse located at 752 East Market Street, Indianapolis, Indiana (the "Building"), for the primary purpose of using the Building, once renovated, as an intake, processing, holding, and housing facility for persons in the custody of law enforcement (the "Arrestee Processing Center"); and

WHEREAS, the Original Lease must be amended to provide for the leasing of additional improvements to the Leased Premises hereinafter defined as the Project by the Building Authority to the County (the "Lease Amendment"), which annual lease rentals will be used to pay the principal of, and interest on the proposed additional revenue bonds to be issued by the Building Authority for the Project; and

WHEREAS, the Building Authority has been created under and pursuant to the provisions of Indiana Code 36-9-13, as amended (the "Act") for the purpose of, among others, constructing, operating and leasing to governmental units within the territorial boundaries of the County, lands and governmental buildings for public or governmental purposes; and

WHEREAS, the County desires to have the Building Authority undertake the renovation of all or a portion of the Building, consisting of renovations to a portion of the basement, all four floors, the exterior and the site of the Building to allow for the Arrestee Processing Center, and other necessary improvements to provide for office space and clerical support space for County employees, other program and service areas, and various

related improvements on the real property upon which the Building is located (collectively, the "Project") for lease to the County; and

WHEREAS, there have been prepared drawings and estimates for the cost of the Project; and

WHEREAS, the County has negotiated a proposed Lease Amendment for the Project, as renovated, with the Building Authority, in the form attached to the official copy of this ordinance as Exhibit A (the "Lease Amendment"), which Lease Amendment has been the subject of a public hearing by the County on March 18, 2002, in accordance with Section 27 of the Act; and

WHEREAS, the County and the Building Authority have tentatively agreed upon the proposed terms and conditions of the Lease Amendment subject to the public hearing; and

WHEREAS, there is before this City-County Council of the City of Indianapolis (the "Council") a copy of the Lease Amendment as submitted to public hearing, together with drawings of the Project as prepared by architects employed by the Building Authority and an estimate of the costs of the Project; now, therefore:

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

SECTION 1. The Council hereby finds and determines that the execution of the Lease Amendment with an annual fixed rental not to exceed \$1,244,000, for a term not to exceed twenty-one (21) years, is necessary to provide proper facilities to the County, and that the basis for the determination of the annual fixed rental is fair and reasonable. A copy of such Lease Amendment is attached to the official copy of this Ordinance as Exhibit A.

SECTION 2. The Council hereby approves the Lease Amendment, and the Mayor of the City of Indianapolis, Indiana (the "Mayor"), for and on behalf of the County, is hereby authorized and directed to execute and deliver the Lease Amendment, including the addenda attached thereto, with such changes to the Lease Amendment and/or the addenda as the Mayor deems necessary or advisable, which will not materially adversely affect the financial terms of the Lease Amendment, in the name and on behalf of the County, and the Auditor of Marion County, Indiana, be and hereby is, authorized and directed to affix the seal of the County and to attest such seal, execution and delivery and any such extension and/or attestation heretofore effected be, and hereby is, ratified and approved.

SECTION 3. Any and all publications of notice of the public hearing held before this Council on the Lease Amendment in accordance with Indiana Code 5-3-1, as amended, and Section 27 of the Act previously published by the Clerk of the Council are hereby ratified and approved.

SECTION 4. The Clerk of the Council is hereby authorized and directed to publish notices of the approval of the Lease Amendment as provided in Section 28 of the Act.

SECTION 5. The Council hereby approves the leasing of the Site (as defined in the Lease Amendment) to the Building Authority for the sum of \$1.00 payable to the County for the entire extended term of the Original Lease as amended by the Lease Amendment upon the terms and conditions set forth therein.

SECTION 6. The Mayor, for and on behalf of the County, is hereby authorized and directed to execute and deliver such documents and to take such actions as he deems necessary or desirable to effect the foregoing resolution, and any such documents heretofore executed and delivered and any such actions heretofore taken be, and hereby are, ratified and approved.

SECTION 7. 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. 88, 2002. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 88, 2002 on March 4, 2002. The proposal, sponsored by Councillor Smith, 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith

moved, seconded by Councillor Coughenour, for adoption. Proposal No. 88, 2002 was adopted on the following roll call vote; viz:

23 YEAS: Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Dowden, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Nytes, Sanders, SerVaas, Short, Smith, Soards, Tilford

0 NAYS:

5 NOT VOTING: Douglas, Gibson, Moriarty Adams, Schneider, Talley

1 ABSENT: Black

Proposal No. 88, 2002 was retitled FISCAL ORDINANCE NO. 22, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No.96, 2001) transferring and appropriating an additional Five Thousand One Hundred Dollars (\$5,100) in the County General Fund for purposes of the County Auditor and County Surveyor and reducing certain other appropriations from 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(b) and (f) 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 County Surveyor to provide surveying services to IMAGIS in targeting specified control points for the 2002 aerial photography flyover.

SECTION 2. The sum of Five Thousand One Hundred Dollars (\$5,100) 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>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services-fringes	1,177
<u>COUNTY SURVEYOR</u>	
1. Personal Services	3,923
TOTAL INCREASE	5,100

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

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	5,100
TOTAL DECREASE	5,100

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

PROPOSAL NO. 93, 2002. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 93, 2002 on March 14, 2002. The proposal, sponsored by Councillor Bainbridge, authorizes a multi-way stop at Corvallis Crescent and Eagledale Drive (District 8). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 93, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Gibson, Schneider, Smith, Talley

1 ABSENT: Black

Proposal No. 93, 2002 was retitled GENERAL ORDINANCE NO. 28, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 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 deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16	Corvallis Crescent Eagledale Dr	Eagledale 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>
16	Corvallis Crescent Eagledale 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.

President SerVaas convened the Fire Special Service District Council.

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

PROPOSAL NO. 90, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 90, 2002 on February 27, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, 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.). By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 9:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 90, 2002 was adopted on the following roll call vote; viz:

22 YEAS: Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Knox, Langsford, Massie, McWhirter, Moriarty, Adams, Nytes, Sanders, SerVaas, Soards, Tilford

0 NAYS:

6 NOT VOTING: Gibson, Horseman, Schneider, Short, Smith, Talley

1 ABSENT: Black

Proposal No. 90, 2002 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2002, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2002

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Fire Special Service District Budget for 2002 (Fire Special Service District Fiscal Ordinance No. 4, 2001) appropriating Seventy Thousand Nine Hundred Forty-two Dollars (\$70,942) 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 Fire Special Service District Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, for fire safety training through programs at Survive Alive.

SECTION 2. The sum of Seventy Thousand Nine Hundred Forty-two Dollars (\$70,942) 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 increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

2. Materials and Supplies
3. Other Services and Charges
4. Capital Outlay
TOTAL INCREASE

FEDERAL GRANTS FUND

21,763
28,159
21,020
70,942

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

Unappropriated and Unencumbered
Federal Grants Fund
TOTAL REDUCTION

FEDERAL GRANTS FUND

70,942
70,942

SECTION 5. This grant will be matched by appropriations in the Department of Public Safety, Fire Division's 2002 Budget, as follows:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

2. Materials and Supplies
3. Other Services and Charges
4. Capital Outlay
TOTAL

FIRE GENERAL FUND

4,636
218
25,549
30,403

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 program 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.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Smith in memory of Michael Swartz; and
- (2) Councillor Talley in memory of Alfred Erickson and Joyce Bradley; and
- (3) Councillor Soards in memory of Joseph Goldsmith; and
- (4) Councillor Massie in memory of Catherine Laird; and
- (5) Councillor Tilford in memory of Bessie Mae Blissett Moore.

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 Michael Swartz, Alfred Erickson, Joyce Bradley, Joseph Goldsmith, Catherine Laird, and Bessie Mae Blissett Moore. 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 9:12 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 18th day of March, 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)