

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

**REGULAR MEETINGS
MONDAY, APRIL 8, 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 7:15 p.m. on Monday, April 8, 2002, with President SerVaas presiding.

Councillor Cockrum led the opening prayer and 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, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford
1 ABSENT: Gray

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Borst recognized constituent, well-known attorney, and entrepreneur Larry Lund.

OFFICIAL COMMUNICATIONS

President SerVaas 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

Journal of the City-County Council

Chambers, on Monday, April 8, 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

March 19, 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 22, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 112, 115-117, and 120-123, 2002, said hearing to be held on Monday, April 8, 2002, at 7:00 p.m. in the City-County Building and legal notice of approval of the first amendment to the Arrestee Processing Center lease.

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

March 28, 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. 21, 2002 - 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

GENERAL ORDINANCE NO. 28, 2002 - authorizes a multi-way stop at Corvallis Crescent and Eagledale Drive (District 8)

GENERAL ORDINANCE NO. 29, 2002 - determines that the execution of an amendment (Arrestee Processing Center) to the Lease for Jail II is necessary

SPECIAL ORDINANCE NO. 1, 2002 - 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

GENERAL RESOLUTION NO. 1, 2002 - 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

SPECIAL RESOLUTION NO. 16, 2002 - remembers the life and contributions to Indianapolis by civil engineer Ronald Wakasch

SPECIAL RESOLUTION NO. 17, 2002 - recognizes the Centennial Anniversary of Indianapolis' annexation of Irvington

SPECIAL RESOLUTION NO. 18, 2002 - recognizing The Children's Museum of Indianapolis

SPECIAL RESOLUTION NO. 19, 2002 - recognizes and thanks Indiana State Treasurer Tim Berry for his innovative \$5 million state assistance for Indianapolis police and fire pension funding

SPECIAL RESOLUTION NO. 20, 2002 - recognizes motivator and Hoosier Minority Chamber of Commerce President Linda Clemons

April 8, 2002

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2002 - 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.)

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 March 18, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 176, 2002. The proposal, sponsored by Councillor Talley, recognizes Cieare Horton. Councillor Talley read the proposal and presented Ms. Horton with a copy of the document and a Council pin. Miss Horton thanked the Council for the recognition. Councillor Conley said that he has known the Horton family for many years, and he also congratulated Miss Horton. Councillor Talley moved, seconded by Councillor Conley, for adoption. Proposal No. 176, 2002 was adopted by a unanimous voice vote.

Proposal No. 176, 2002 was retitled SPECIAL RESOLUTION NO. 21, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 2002

A SPECIAL RESOLUTION recognizing Cieare Horton.

WHEREAS, Miss Cieare Horton is a junior at Warren Central High School who is in the National Honor Society, the National Achiever's Society of the Indianapolis Urban League, the Academy of Information Technology, and is on the Junior Class Council; and

WHEREAS, she ranks in the upper third of her class and voluntarily tutors younger students in many fields, including moral conduct; and

WHEREAS, Miss Horton sings in the Church choir and is on the Junior Female Usher Board at The United House of Prayer for All People Church; and

WHEREAS, Cieare is already touring college campuses before she makes her final choice which is tentatively IUPUI or Indiana University, but one of her deep down dreams is to be a glamour model some day, having already been approached by a modeling agency; 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 dedicated and motivated Warren Central student Cieare Horton.

SECTION 2. The teen years are never an easy time in a person's life, but Miss Horton seems to show extraordinary maturity and good judgement at school, in Church, and is using this developing stage of life to build a solid foundation for the future; and the Council wishes her the best of success.

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. 177, 2002. The proposal, sponsored by Councillor Talley, recognizes Deacon James Meyers. Councillor Talley read the proposal and presented Mr. Meyers with a copy of the document and a Council pin. Mr. Meyers thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 177, 2002 was adopted by a unanimous voice vote.

Proposal No. 177, 2002 was retitled SPECIAL RESOLUTION NO. 22, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 2002

A SPECIAL RESOLUTION recognizing Deacon James Meyers.

WHEREAS, Deacon James Meyers is a student at Perry Meridian High School, a Deacon at the United House of Prayer for All People Church, and a young man who demonstrates maturity beyond his years; and

WHEREAS, at school he has maintained his grades, wrestled for three years placing first in the county and sectional matches, second in the regional in his weight division, and has been team captain; and

WHEREAS, at Church he is already a Deacon, attends Church several times a week, plays instruments, is Vice President of the Youth Department and of the Church band "Sounds of Revelation", sings in the choir, and trains younger men on becoming Church leaders; and

WHEREAS, Elder Meyers is busy with school, friends, and at Church, and does not have time to waste his life by becoming involved with the lures of troublesome activities on the streets; 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 Deacon James Meyers as a fine example of a dedicated and motivated young man in his school, at Church, with his relatives, and to younger kids who look up to him as a role model.

SECTION 2. The Council wishes him well as he finishes up at Perry Meridian High School and starts a new chapter in his life as a graphics design student at Indiana Vocational Technical College.

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. 178, 2002. The proposal, sponsored by Councillor Bainbridge, recognizes the Speedway Sparkplugs for their first-ever state basketball championship title. Councillor Bainbridge read the proposal and presented representatives with copies of the document and Council pins. Head Coach Trent Lehman and Principal Tom Smith thanked the Council for the recognition. Councillor Bainbridge moved, seconded by Councillor McWhirter, for adoption. Proposal No. 178, 2002 was adopted by a unanimous voice vote.

Proposal No. 178, 2002 was retitled SPECIAL RESOLUTION NO. 23, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 2002

A SPECIAL RESOLUTION recognizing the Speedway Sparkplugs for their first-ever state basketball championship title.

WHEREAS, Saturday, March 23rd was a pleasant weather day outside, but the fans of Speedway High School had other more pressing things on their minds that afternoon; and

WHEREAS, the Class 2A state basketball championship game that Saturday paired the third-ranked Speedway Sparkplugs with the eighth-rated Bluffton Tigers, who along with a few thousand of their friends came visiting Indy down I-69; and

WHEREAS, the stress and tension was high, and 14,113 basketball fans in the stands were watching every move, but the Sparkplugs did a textbook job of putting the Big Game jitters behind them and getting on with what they have been doing exceptionally well all winter—winning basketball games; and

WHEREAS, at the final electronic buzzer, the Speedway boys made school history by winning their first-ever state basketball championship, and National Honor Society member and DePauw-bound teammate Mark Gonzales was named the Class 2A Arthur L. Trester Mental Attitude Award; 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 Speedway Sparkplugs for their first-ever basketball state championship title.

SECTION 2. The Council specifically commends the Sparkplug team: J.D. Clampitt, Mo Shipley, Mark Gonzales, Chris West, Brandon Shaw, Jimmy Rust, Aaron Pedigo, Lindsey Norris, Ryan Neat, Adam Gonzales, Matt Williams and Eric Mattingly; along with head coach Trent Lehman, the assistant coaches, cheerleaders, supportive school students and administration, an enthusiastic Speedway community, and loving families who worked and gladly made sacrifices for many years to help make this history making night possible.

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. 180, 2002. The proposal, sponsored by Councillors Nytes and Sanders, congratulates the Junior League of Indianapolis upon their 80th Anniversary. Councillor Nytes read the proposal and presented representatives with copies of the document and Council pins. Leanne Rice, president of the Junior League, thanked the Council for the recognition. Councillor Sanders commended the Junior League on their Silent Witness project for victims of domestic violence and said that she appreciates the League's advocacy on behalf of women. Councillor Schneider said that a member of the League recently visited and read to his daughter in the hospital, and he appreciates the work the League does to encourage children. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 180, 2002 was adopted by a unanimous voice vote.

Proposal No. 180, 2002 was retitled SPECIAL RESOLUTION NO. 25, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2002

A SPECIAL RESOLUTION congratulating the Junior League of Indianapolis upon their 80th Anniversary.

WHEREAS, the Junior League began 101 years ago in New York City when some young ladies organized to improve children's health and literacy in that city's settlement houses; and

WHEREAS, the concept spread, and by 1921, thirty Junior League chapters met and organized into what is today's version of the international Junior League with 296 chapters in five nations; and

WHEREAS, the next year, 50 women formed the Junior League of Indianapolis, which has now grown to 1,350 members, with their Schnull-Rauch House at 3050 North Meridian Street headquarters, and since 1928, has run a successful fundraiser Next to New merchandise store now located a block west of the Glendale Shopping Center; and

WHEREAS, developing the potential of women, leadership training and experience, volunteerism and community improvement are hallmarks of the Junior League, and during the past 80 years the Junior League of Indianapolis has sponsored 137 different community benefit projects, and has raised and donated over \$6.3 million to numerous programs; and

WHEREAS, along with running the Next to New Store, the Junior League organizes its annual Holiday Mart to help fund women's and children's programs, has a Day Nursery summer camp for 700 kids, helped create a play room in the Julian Center, provides recorded and live story telling at children's hospitals, offers non-medical help for women undergoing breast cancer treatment, and are involved with numerous other programs that benefit women and children; 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 Junior League of Indianapolis for their eight decades of leadership training and service in this community.

SECTION 2. The Council wishes them well at their 80th Anniversary Diamond Gala at the Indiana Roof Ballroom on April 20th, and thanks them for their outstanding work 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. 181, 2002. The proposal, sponsored by Councillors Talley and Langsford, commends Flanner and Buchanan Funeral Centers, Washington Park Cemetery Association, Inc. and Catholic Cemeteries Association for their children's bicycle helmet safety initiative. Councillor Langsford read the proposal and presented copies of the document and Council pins to representatives. Burt Pettigrow, Washington Park Cemetery Association, thanked the Council for the recognition and stated that the firefighters of Indianapolis also deserve a lot of the credit for their support and participation in the project. Councillor Langsford moved, seconded by Councillor Talley, for adoption. Proposal No. 181, 2002 was adopted by a unanimous voice vote.

Proposal No. 181, 2002 was retitled SPECIAL RESOLUTION NO. 26, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2002

A SPECIAL RESOLUTION commending Flanner and Buchanan Funeral Centers, Washington Park Cemetery Association, Inc. and Catholic Cemeteries Association for their children's bicycle helmet safety initiative.

WHEREAS, it is estimated that some 140,000 children are treated each year in emergency rooms for head injuries resulting from bicycle accidents, and that between 135 and 155 tragic deaths could have been prevented if the children would have been wearing helmets; and

WHEREAS, as a way to give back to the community, Flanner and Buchanan Funeral Centers, Washington Park Cemetery, Inc. and Catholic Cemeteries Association will be giving away 5,000 Bell brand bicycle helmets to children on Sunday afternoon, April 14th at 13 Indianapolis locations and at other Central Indiana sites; and

April 8, 2002

WHEREAS, Spring is prime time when kids shake off the winter blues and take to the sidewalks and streets with their two wheeled fun machines, which makes this an opportune time to remind them of safety—beginning with head protection; and

WHEREAS, the bicycle helmets will be given away on a first come-first served basis until 5,000 are distributed between 1:00 and 4:00 p.m. at the cemetery sites, and a parent, grandparent or guardian must accompany the children; 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 commends Flanner and Buchanan Funeral Centers, Washington Park Cemetery Association, Inc. and Catholic Cemeteries Association for their generous and innovative child safety bicycle helmet program.

SECTION 2. The Council wishes this program the best of success and hopes that this action serves as a model for others to search for imaginative ways to be of help to their neighbors, customers and even strangers in the Indianapolis community.

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

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

PROPOSAL NO. 109, 2002. The proposal, sponsored by Councillor Nytes, approves the Mayor's appointment of Shawna Meyer Eikenberry as hearing officer. Although the proposal passed out of the Administration and Finance Committee with a 7-0 do pass recommendation, Councillor Nytes asked for consent to withdraw Proposal No. 109, 2002. She said that Ms. Eikenberry has accepted another position which would create a conflict. Consent was given to withdraw Proposal No. 109, 2002.

President SerVaas asked for consent to vote on Proposal No. 708, 2001 and Proposal Nos. 98, 111, and 114, 2002 together. He said that all are board appointments that passed out of their respective committees with unanimous do pass recommendations. Consent was given.

PROPOSAL NO. 708, 2001. The proposal, sponsored by Councillor Coonrod, reappoints Stuart Rhodes to the Cable Franchise Board. PROPOSAL NO. 98, 2002. The proposal, sponsored by Councillors Nytes and Boyd, appoints Linda N. Perdue to the Equal Opportunity Advisory Board. PROPOSAL NO. 111, 2002. The proposal, sponsored by Councillor Coonrod, appoints Sue Beesley to the City County Administrative Board. PROPOSAL NO. 114, 2002. The proposal, sponsored by Councillor Dowden, amends Council Resolution No. 21, 2000 to correct the term of Al Polin as a member of the Citizens Police Complaint Board. Councillor Dowden moved, seconded by Councillor Nytes, for adoption. Proposal No. 708, 2001 and Proposal Nos. 98, 111, and 114, 2002 were adopted by a unanimous voice vote.

Proposal No. 708, 2001 was retitled COUNCIL RESOLUTION NO. 55, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 2002

A COUNCIL RESOLUTION reappointing Stuart Rhodes to the Cable Franchise 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 Cable Franchise Board, the Council reappoints:

Stuart Rhodes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 98, 2002 was retitled COUNCIL RESOLUTION NO. 56, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 2002

A COUNCIL RESOLUTION appointing Linda N. Perdue to the Equal Opportunity Advisory 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 Equal Opportunity Advisory Board, the Council appoints:

Linda N. Perdue

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. 111, 2002 was retitled COUNCIL RESOLUTION NO. 57, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 2002

A COUNCIL RESOLUTION appointing Sue Beesley to the City County Administrative 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 City County Administrative Board, the Council appoints:

Sue Beesley

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. 114, 2002 was retitled COUNCIL RESOLUTION NO. 58, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 2002

A COUNCIL RESOLUTION amending Council Resolution No. 21, 2000 to correct the term of Al Polin as a member of the Citizens Police Complaint Board.

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

SECTION 1. Council Resolution No. 21, 2000, be and is hereby amended by changing the expiration date of the term of Al Polin as stated in Section 2.

SECTION 2. The appointment made by Council Resolution No. 21, 2000 is for a term ending December 31, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 151, 2002. Introduced by Councillors Smith and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$6,335,789 in the 2002 Budget of the Department of Metropolitan Development (State Grants, Federal Grants, Consolidated County, Redevelopment District Capital Projects, and Redevelopment Funds) for administering state and federal grants which provide affordable and supportive housing opportunities, community development, brownfield assessment and remediation, and economic development initiatives, financed by state and federal grants and fund balances"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 152, 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 \$85,899 in the 2002 Budget of the Department of Public Safety, Emergency Management Planning Division (Consolidated County Fund) to add one Deputy Administrator and one Senior Coordinator, along with some associated operating costs, financed by fund balances and partial reimbursement from the State Emergency Management Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 153, 2002. Introduced by Councillors Dowden, Moriarty Adams, and Horseman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$17,345 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) for construction of a fence around the proposed exercise area at the animal shelter, financed by private donations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 154, 2002. Introduced by Councillors Dowden, Moriarty Adams, Soards, Horseman, and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$135,000 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to pay salaries and benefits of five new staff positions who will perform various functions which are currently being done at the city's animal shelter by the Indianapolis Humane Society"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 155, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$23,521 in the 2002 Budget of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to continue the Arrestee Drug Monitoring Program (ADAM), funded by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 156, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$21,500 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"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 157, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$60,000 in the 2002 Budget of the Department of Public Works, Policy and Planning Division (Sanitation Liquid Waste Fund) to purchase hardware associated with a network upgrade to the Belmont facility"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 158, 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 \$84,000 in the 2002 Budget of the Department of Public Works, Policy and Planning Division (Storm Water Management Fund) to provide public and media relations consulting services for the Stormwater Management program, and to facilitate effective and timely communication with the non-residential property owners about the drainage program and the upcoming stormwater utility bills, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 159, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$8,320,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Sanitation Liquid Waste Fund) for Real Time Control early action combined sewer overflow (CSO) projects, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 160, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$232,891 in the 2002 Budget of the Department of Public Works, Engineering Division (Federal Grants Fund) to further pollution control efforts on the West Fork of the White River, Fall Creek, and Pleasant Run, financed by federal funds"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 161, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$2,500,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Solid Waste Disposal Fund) to restore the stream bank along the White River near the former Tibbs Avenue and Banta Road landfill, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 162, 2002. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 56th Street and Lee Road (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 163, 2002. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 59th Street and Lee Road (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 164, 2002. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Whitty Lane at 14th Street and at 16th Street (District 12)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 165, 2002. Introduced by Councillor Douglas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Coburn Avenue and Coil Street (District 10)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 166, 2002. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at various

intersections located in the Royal Pines Estates (District 3)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 167, 2002. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Surrey Drive from Coach Road to Shelby Street (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 168, 2002. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Everett Street from Harding Street to White River Parkway W. Drive, and authorizes a change in one-way restrictions on Everett Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 169, 2002. Introduced by Councillors Langsford, Moriarty Adams, and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on various streets intersecting with Michigan Street (Districts 13, 15, 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 170, 2002. Introduced by Councillors Langsford, Moriarty Adams, Short, and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on various streets intersecting with Washington Street (Districts 13, 15, 21, 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 171, 2002. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the one-way restrictions on 14th Street between Pennsylvania Street and Delaware Street (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 172, 2002. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction on Marlin Road between Senour Road and Carroll Road (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 173, 2002. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Hillside Avenue and 57th Street (District 7)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 174, 2002. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 175, 2002. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints James M. Atkinson to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 182, 2002, and PROPOSAL NOS. 183-185, 2002. Introduced by Councillor Smith. Proposal No. 182, 2002 and Proposal Nos. 183-185, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 3, 2002. The President called for any motions for public hearings on any of those zoning maps changes.

Councillor Conley made the following motion:

Mr. President:

I move that Proposal No. 183, 2002 (Rezoning Case 2001-ZON-162/2201-DP-020) be scheduled for a hearing before this Council at its next regular meeting on April 29, 2002, at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Sanders seconded the motion.

President SerVaas passed the gavel to Vice President Borst. Councillor SerVaas said that he opposes the motion for a public hearing, as this matter has already had sufficient public hearing before the Metropolitan Development Commission (MDC). He said that the MDC unanimously recommended passage of the proposal, and most of those in opposition of this zoning are individuals who do not live close to the property. He said that all of the surrounding neighborhood groups are in favor of the project and, as a neighbor, he is in favor of it as well. He said that the opponents of the proposal are those who want the City to buy it and develop it as Parks land. However, the City had the opportunity to purchase the property, and the Parks Department turned it down.

Councillor Talley said that he believes there was improper notification, and the Indianapolis Fire Department was not notified of this zoning hearing. Councillor SerVaas said that he is not aware of this being the case.

Councillor Conley said that he has received a petition with approximately 4,500 signatures, and as an At-Large Councillor, he has to take this into consideration. He said that he does not know where these individuals live in proximity to the project, but he cannot ignore such a wide response.

Councillor Black said that Maureen Dobie, citizen opponent of the proposal, is here to speak this evening. Vice President Borst stated that this item is not under public hearing and no testimony from the public can be allowed here this evening. He said that if Councillor Conley's motion to schedule the matter for public hearing passes, testimony will be allowed at a future meeting.

The motion to schedule Proposal No. 183, 2002 for a public hearing failed by the following roll call vote; viz:

9 YEAS: Black, Brents, Conley, Douglas, Gibson, Horseman, Moriarty Adams, Sanders, Talley

19 NAYS: Bainbridge, Borst, Boyd, Bradford, Cockrum, Coonrod, Coughenour, Dowden, Knox, Langsford, Massie, McWhirter, Nytes, Schneider, SerVaas, Short, Smith, Soards, Tilford

1 ABSENT: Gray

Vice President Borst returned the gavel to President SerVaas.

There being no further 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. 34-37, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 34, 2002.

2001-ZON-161 (2001-DP-019)

1500 WEST BANTA ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

C.P. MORGAN COMMUNITIES, L.P., by Brian J. Tuohy requests a rezoning of 44 acres, being in the D-A (FF)(W-1)(W-5) District, to the D-P (FF)(W-1)(W-5) classification to provide for 176 single-family residential units, or 4.0 units per acre.

REZONING ORDINANCE NO. 35, 2002.

2001-ZON-162 (2001-DP-020)

4615 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 2

CD REALITY, LLC., by Philip A. Nicely, requests a rezoning of 177.74 acres, being in the D-S (FF) and SU-2 (FF)(FW) Districts, to the D-P (FF)(FW) classification to provide for 15 single-family residential lots, or 0.08 units per acre.

REZONING ORDINANCE NO. 36, 2002.

2002-ZON-010

9470 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.

4 WHEEL PARTS PERFORMANCE CENTERS, by Andrielle M. Metzler and Walter E. Wolf Jr., requests a rezoning of 0.69 acre, being in the C-3 District, to the C-4 classification to provide for automobile repair and the retail sale of automotive parts.

REZONING ORDINANCE NO. 37, 2002.

2002-ZON-011

1502 SOUTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

MAHONEY ENVIRONMENTAL, INC. requests a rezoning of 3.32 acres, being in the I-3-U District, to the I-4-U classification to provide for a cooking oil recycling/melt plant facility.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 112, 2002. The proposal, sponsored by Councillor Bradford, 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. Councillor Bradford said that the Community Affairs Committee has not yet had an opportunity to hear the proposal. He moved, seconded by Councillor Bainbridge, to postpone Proposal No. 112, 2002 until April 29, 2002. Proposal No. 112, 2002 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 116 and 117, 2002 on March 20, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 116, 2002. The proposal, sponsored by Councillor Dowden, appropriates the Department of Corrections' increase of \$22,792 in the 2002 Budget of Community Corrections (Home Detention Fund) for FY 2001-02. PROPOSAL NO. 117, 2002. The proposal, sponsored by Councillor Dowden, 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. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President SerVaas called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 116 and 117, 2002 were adopted on the following roll call vote; viz:

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

Proposal No. 116, 2002 was retitled FISCAL ORDINANCE NO. 23, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Twenty-two Thousand Seven Hundred Ninety-two Dollars (\$22,792) in the Home Detention Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention 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(g) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to budget the Department of Corrections' increase for FY 2001-02.

SECTION 2. The sum of Twenty-two Thousand Seven Hundred Ninety-two Dollars (\$22,792) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION FUND</u>
3. Other Services and Charges	<u>22,792</u>
TOTAL INCREASE	22,792

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

	<u>HOME DETENTION FUND</u>
Unappropriated and Unencumbered	
Home Detention Fund	<u>22,792</u>
TOTAL REDUCTION	22,792

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

Proposal No. 117, 2002 was retitled FISCAL ORDINANCE NO. 24, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Six Hundred Fifty Thousand Dollars (\$650,000) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(g) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund the housing felons in the Corrections Center Component.

SECTION 2. The sum of Six Hundred Fifty Thousand Dollars (\$650,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION FUND</u>
3. Other Services and Charges	650,000
TOTAL INCREASE	650,000

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

	<u>HOME DETENTION FUND</u>
Unappropriated and Unencumbered	
Home Detention Fund	650,000
TOTAL REDUCTION	650,000

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

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 121-123, 2002 on March 28, 2002.

PROPOSAL NO. 121, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 121, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 121, 2002 was retitled FISCAL ORDINANCE NO. 25, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) re-appropriating Three Hundred Thirty Thousand Dollars (\$330,000) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Operations Division, and reducing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Operations Division, to pay prior year expenditures in order to maintain current year expenditures from the current year budget.

SECTION 2. The sum of Three Hundred Thirty Thousand Dollars (\$330,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>OPERATIONS DIVISION</u>	
3. Other Services and Charges	<u>330,000</u>
TOTAL INCREASE	330,000

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

<u>SOLID WASTE DISPOSAL FUND</u>	
Unappropriated and Unencumbered	
Solid Waste Disposal Fund	<u>330,000</u>
TOTAL REDUCTION	330,000

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

PROPOSAL NO. 122, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 122, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 122, 2002 was retitled FISCAL ORDINANCE NO. 26, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating an additional Two Hundred and Five Thousand Dollars (\$205,000) in the Sanitation Liquid Waste Fund for purposes of the Department of Public Works, Operations Division, and reducing the unappropriated and unencumbered balance in the Sanitation Liquid Waste Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works,

Operations Division, to pay prior year expenditures for sewer billing services in order to maintain current year expenditures from the current year budget.

SECTION 2. The sum of Two Hundred and Five Thousand Dollars (\$205,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>OPERATIONS DIVISION</u>	
3. Other Services and Charges	<u>205,000</u>
TOTAL INCREASE	205,000

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

<u>SANITATION LIQUID WASTE FUND</u>	
Unappropriated and Unencumbered	
Sanitation Liquid Waste Fund	<u>205,000</u>
TOTAL DECREASE	205,000

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

PROPOSAL NO. 123, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:22 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 123, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 123, 2002 was retitled FISCAL ORDINANCE NO. 27, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating an additional Two Million and Six Hundred and Sixty-five Thousand Dollars (\$2,665,000) in the Sanitation Liquid Waste Fund for purposes of the Department of Public Works, Operations Division, and decreasing the unappropriated and unencumbered balance in the Sanitation Liquid Waste Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Operations Division, to pay prior year expenditures for wastewater collection services in order to maintain current year expenditures from the current year budget.

SECTION 2. The sum of Two Million and Six Hundred and Sixty-five Thousand Dollars (\$2,665,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>OPERATIONS DIVISION</u>	<u>SANITATION LIQUID WASTE FUND</u>
3. Other Services and Charges	<u>2,665,000</u>
TOTAL INCREASE	2,665,000

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

	<u>SANITATION LIQUID WASTE FUND</u>
Unappropriated and Unencumbered	
Sanitation Liquid Waste Fund	<u>2,665,000</u>
TOTAL DECREASE	2,665,000

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. 82, 2002. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 82, 2002 on March 26, 2002. The proposal, sponsored by Councillor Coonrod, amends dates for appointment and report of County Salary Recommendation Panel. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McWhirter moved, seconded by Councillor Coonrod, for adoption. Proposal No. 82, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 82, 2002 was retitled GENERAL ORDINANCE NO. 30, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 2002

A GENERAL ORDINANCE amending dates for appointment and report of County Salary Recommendation Panel.

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

SECTION 1. Article I of Chapter 282 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text ,to read as follows:

ARTICLE I. COUNCIL'S COUNTY SALARY RECOMMENDATION PANEL

Sec. 282-111. **Council's County salary recommendations panel created.**

There is hereby created the council's county salary recommendations panel.

Sec. 282-112. **Members, appointment and qualifications.**

(a) The panel shall consist of three (3) members appointed by the city-county council:

- (1) Two (2) members of the panel shall be nominated by the leader of the members of the city-county council who are members of the political party having the largest representation on the council.
- (2) One (1) member of the panel shall be nominated by the leader of the members of the city-county council who are members of the political party having the second-largest representation on the council.

(b) The panel nominations shall be certified to the clerk by the leaders of the respective caucuses as soon as practicable after ~~April~~ February 1 of each year. The panel nominees shall then be confirmed as a group by a majority vote of the council; otherwise, if they are not confirmed, there shall be no panel for that calendar year. Members of the panel shall serve until their duties under Article V of Chapter 291 of this Code are performed, or until ~~July~~ June 20 of the year of their appointment, whichever is sooner.

(c) Qualifications required for membership on the panel are as follows:

- (1) Each member must be a resident freeholder of Marion County;
- (2) Each member must be an executive having substantial responsibility for determining compensation levels in a private, for-profit, organization or have substantial experience in the field of human resources, or have substantial experience as an executive responsible for determining or recommending compensation levels in governmental organizations;
- (3) No member may be an employee of Marion County, the City of Indianapolis, the health and hospital corporation, the Indianapolis-Marion County building authority, the Indianapolis-Marion County airport authority, or any other entity whose governing authority is substantially appointed by officials of Marion County and the City of Indianapolis.

(d) Vacancies which occur on the panel shall be filled by nomination by the same council members who nominated the departed member subject to confirmation by a majority vote of the council.

Sec. 282-113. Officers and quorum.

(a) A quorum of the panel shall be two (2).

(b) The first meeting of the panel shall be called by the clerk of the council or the clerk's designee, who shall preside until the panel shall have chosen a chairperson from among its members. The chairperson shall preside when present. The panel shall then choose a vice-chairperson to preside in the absence of the chairperson. The clerk or the clerk's designee shall act as secretary of the panel. The panel shall govern its own affairs within the limits imposed by the this Code.

Sec. 282-114. Staff.

The panel and its individual members shall be entitled to reimbursement for their necessary and direct expenses, subject to the approval of the president of the council. The panel shall also be entitled to office facilities, clerical support, legal counsel, and the assistance of consultants, subject to the approval of the president of the council and payable from appropriations to the council office.

Sec. 282-115. Duties of salary recommendation panel.

(a) The panel is directed to recommend the level of salary of each employing official in county government whose compensation is derived primarily from a salary paid from the county treasury, and the state treasury when the law provides for salary payments by the state to a local official. Recommendations must be consistent with any statutory limitations on the compensation which may be paid by county government. Salaries of officers whose compensation may be determined by contract authorized by section 281-611 of the Code shall be excluded from panel review.

(b) In recommending each salary, the panel shall consider any other compensation of material value that is customarily provided to the employing official, including fringe benefits. The panel shall also consider the length of the work day and work week and the number of days worked per year that is customary for the employing official. In the context of these considerations, the panel shall employ the following four (4) criteria in recommending salaries and give them equal weight:

- (1) Parity with city department and division heads;
- (2) Comparability with private sector;
- (3) Salary range in the county's normal classification system;
- (4) Comparability with similar government organizations.

In instances where the employing official is appointed and serves at the pleasure of a board or other official, the panel shall recommend a range of salaries, with the object of allowing the appointing authority to set the actual salary.

(c) The panel shall recommend salaries with the object of the recommendations being implemented on the first day of the coming calendar year, except in the case of employing officials who regularly serve terms greater than one (1) year. In these instances, the recommendations of the panel shall be made in the year prior to the year an individual is regularly selected to serve. In other years, the panel shall recommend only the amount of a cost of living adjustment.

(d) The panel may take action up to ~~July~~ June 20 of the year of their appointment, at which time its recommendations shall be recorded by the clerk and certified by him to the auditor. In the event the panel has taken no action to recommend a salary for an employing official, the absence of a recommendation shall be treated as a recommendation that the salary or range of salaries for that employing official be left unchanged.

Sec. 282-116. Duties of auditor.

The auditor, in presenting the next proposed budget ordinance to the council as required by law, shall incorporate the recommendations of the panel into the text. The council shall then consider the panel's recommendations as an integral part of the proposed budget ordinance.

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

PROPOSAL NO. 86, 2002. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 86, 2002 on March 26, 2002. The proposal, sponsored by Councillors Coughenour and Brents, determines the need to lease office space at 1375 West 16th Street for the Department of Public Works. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McWhirter moved, seconded by Councillor Coughenour, for adoption. Proposal No. 86, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Black, Bradford, Conley

1 ABSENT: Gray

Proposal No. 86, 2002 was retitled SPECIAL RESOLUTION NO. 24, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 2002

A PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 20,900 square feet of office space at 1375 West 16th Street, Indianapolis, Indiana, for the Department of Public Works.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Public Works is necessary.

SECTION 2. The property to be leased is located at 1375 West 16th Street, Indianapolis, Indiana, and is owned by Pine Street Properties, L.L.C., which is comprised of Randy and Janet Belden (each having a 50% interest).

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

PROPOSAL NO. 118, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 118, 2002 on March 20, 2002. The proposal, sponsored by Councillor Dowden, 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. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 118, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 118, 2002 was retitled FISCAL ORDINANCE NO. 28, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No.97, 2001) transferring and appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the Conditional Release Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(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 provide funds for the redesign project of the Conditional Release Office.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>CONDITIONAL RELEASE FUND</u>
3. Other Services and Charges	<u>25,000</u>
TOTAL INCREASE	25,000

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>CONDITIONAL RELEASE FUND</u>
1. Personnel Services	<u>25,000</u>
TOTAL DECREASE	25,000

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

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 124-136, 2002 on March 28, 2002. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 124, 2002. The proposal, sponsored by Councillors Brents and Nytes, authorizes the Department of Public Works to implement a parking meter blackout on Monument Circle on May 24, 2002. PROPOSAL NO. 125, 2002. The proposal, sponsored by Councillor Dowden, authorizes a traffic signal at 86th Street and Castleton Square Mall West Drive (Districts 4, 5). PROPOSAL NO. 126, 2002. The proposal, sponsored by Councillors Smith and Coughenour, authorizes a traffic signal at Emerson Avenue, Commerce Square, and McFarland Boulevard (Districts 23, 24). PROPOSAL NO. 127, 2002. The proposal, sponsored by Councillor Smith, authorizes intersection controls at Nathan Lane and Nathan Place (District 23). PROPOSAL NO. 128, 2002. The proposal, sponsored by Councillor McWhirter, authorizes intersection controls at Country Club Boulevard and Kayla Drive (District 18). PROPOSAL NO. 129, 2002. The proposal, sponsored by Councillor McWhirter, authorizes intersection controls for the Traditions of Westmont Park Subdivision (District 18). PROPOSAL NO. 130, 2002. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 26th Street and Franklin Place (District 16). PROPOSAL NO. 131, 2002. The proposal, sponsored by Councillor Douglas, authorizes intersection controls at 23rd Street and DeQuincy Street (District 10). PROPOSAL NO. 132, 2002. The proposal, sponsored by Councillor Bradford, authorizes a multi-way stop at Central Avenue and 58th Street (District 7). PROPOSAL NO. 133, 2002. The proposal, sponsored by Councillor Massie, authorizes parking restrictions on Ransdell Street from Pleasant Run Parkway N. Drive to Raymond Street (District 20). PROPOSAL NO. 134, 2002. The proposal, sponsored by Councillor Soards, authorizes parking restrictions on Northwest Boulevard from 84th Street to 86th Street (District 1). PROPOSAL NO. 135, 2002. The proposal, sponsored by Councillor Langsford, 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). PROPOSAL NO. 136, 2002. The proposal, sponsored by Councillors Massie and Coughenour, authorizes the removal of parking restrictions for Sear Terrace between Palo Verde Drive and Paso Del Norte Drive (Districts 20, 24). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Boyd asked what Proposal No. 125, 2002 is designed to correct. Councillor Coughenour said that the proposal satisfied all warrants and the Department of Public Works (DPW) will only be responsible for maintenance costs. Barbara Lawrence, director of DPW, said that this signal is behind Castleton Square Mall and is not on 82nd Street. She said that the request was received and an independent engineering study was conducted and the need was warranted to address some traffic safety issues.

Councillor Black said that it was represented that he was opposed to Proposal No. 133, 2002, but for the record, he is not opposed to the proposal.

Councillor Coughenour moved, seconded by Councillor Brents, for adoption. Proposal Nos. 124-136, 2002 were adopted on the following roll call vote; viz:

28 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, Short, Smith, Soards, Talley, Tilford

0 NAYS:

1 ABSENT: Gray

Proposal No. 124, 2002 was retitled GENERAL RESOLUTION NO. 2, 2002, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 2002

A PROPOSAL FOR A GENERAL RESOLUTION to request a parking meter blockout on May 24, 2002, to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle.

WHEREAS, Memorial Day began as Decoration Day where those who perished during the Civil War were remembered and their graves decorated; and

WHEREAS, later, veterans who gave the supreme sacrifice to preserve freedom in all of America's wars were honored on Memorial Day, a patriotic day which in 1971 became a national holiday; and

WHEREAS, Memorial Day weekend is a special time in Indianapolis with thousands of visitors and exciting events; and

WHEREAS, remembering the bedrock reason for the holiday, the 500 Festival Memorial Service will be held on Monument Circle in downtown Indianapolis on Friday, May 24, 2002 where appropriate homage will be accorded in a public memorial ceremony to these American patriots who gave their lives for our liberties; 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, recognizing the importance of Memorial Day weekend in Indianapolis for local residents, visitors and for its international attention, requests that the Department of Public Works issue a one-day blockout of downtown Indianapolis' parking meters on May 24, 2002, as a token of the City's thanks and gratitude for those patriots who fought and died to keep America free.

SECTION 2. The Department of Public Works shall issue and implement a one-day blockout of downtown Indianapolis' parking meters on May 24, 2002 for the area bounded by St. Clair Street, South Street, East Street, and West Street.

SECTION 3. This resolution shall be in effect upon adoption and compliance with Ind. Code § 36-3-4-14.

Proposal No. 125, 2002 was retitled GENERAL ORDINANCE NO. 32, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 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>
5	86 th St Castleton Square Mall West Drive	None	Signal

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

Proposal No. 126, 2002 was retitled GENERAL ORDINANCE NO. 33, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 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>
47	Commerce Sq Emerson Av McFarland Blvd	Emerson Av	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>
47	Commerce Sq Emerson Av McFarland Blvd	None	Signal

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

Proposal No. 127, 2002 was retitled GENERAL ORDINANCE NO. 34, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 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>
47	Nathan Ln Nathan Pl	Nathan Ln	Stop

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

Proposal No. 128, 2002 was retitled GENERAL ORDINANCE NO. 35, 2002, and reads as follows:

April 8, 2002

CITY-COUNTY GENERAL ORDINANCE NO. 35, 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>
22	Country Club Blvd Kayla Dr	Country Club Blvd	Stop

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

Proposal No. 129, 2002 was retitled GENERAL ORDINANCE NO. 36, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 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>
22	Cahill Ln Farley Dr	Farley Dr	Stop
22	Farley Cir Farley Dr	Farley Dr	Stop

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

Proposal No. 130, 2002 was retitled GENERAL ORDINANCE NO. 37, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 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>
17	26 th St Franklin Pl	26 th St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17	26 th St Franklin Pl	None	All Way Stop

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

Proposal No. 131, 2002 was retitled GENERAL ORDINANCE NO. 38, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 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>
26	23 rd St DeQuincy St	DeQuincy St	Stop

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

Proposal No. 132, 2002 was retitled GENERAL ORDINANCE NO. 39, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 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>
11	Central Av 58 th St	Central Av	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>
11	Central Av 58 th St	None	All Way Stop

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

Proposal No. 133, 2002 was retitled GENERAL ORDINANCE NO. 40, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 2002

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

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

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

Ransdell Street, on the west side, from Pleasant Run Parkway N. Drive to Raymond Street

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

Proposal No. 134, 2002 was retitled GENERAL ORDINANCE NO. 41, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 2002

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

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

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

Northwest Boulevard, on both sides, from 84th Street to 86th Street

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

Proposal No. 135, 2002 was retitled GENERAL ORDINANCE NO. 42, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 2002

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-342, One-way streets and alleys designated; and Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-342, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND

Downey Avenue, from Julian Avenue to Washington Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Downey Avenue, on the west side, from a point 30 feet south of Julian Avenue to Washington Street

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

Proposal No. 136, 2002 was retitled GENERAL ORDINANCE NO. 31, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 2002

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

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

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

Siear Terrace, on both sides, from Madison Avenue to Stop 11 Road

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Siear Terrace, on the west side, from Madison Avenue to Stop 11 Road

Siear Terrace, on the east side, from Madison Avenue to Palo Verde Drive

Siear Terrace, on the east side, from Paso Del Norte Drive to Stop 11 Road

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

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

President SerVaas convened the Fire Special Service District Council.

PROPOSAL NO. 115, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 115, 2002 on March 20, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, 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. 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 8:36 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 115, 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, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford
0 NAYS:
1 ABSENT: Gray

Proposal No. 115, 2002 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 2002, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 2002

A FISCAL ORDINANCE amending the Fire Special Service District Budget for 2002 (City-County Fire Special Service District Ordinance No. 4, 2001) appropriating Forty-two Thousand Five Hundred and Seventy-five Dollars (\$42,575) in the Fire General Fund for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Fire General 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, to manage the FEMA Urban Search and Rescue Task Force - 1.

SECTION 2. The sum of Forty-two Thousand Five Hundred and Seventy-five Dollars (\$42,575) 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>FIRE DIVISION</u>	
2. Materials and Supplies	<u>27,604</u>
3. Other Services and Charges	12,802
4. Capital Outlay	<u>2,169</u>
TOTAL INCREASE	42,575

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>42,575</u>
TOTAL REDUCTION	42,575

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

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

SOLID WASTE SPECIAL SERVICE DISTRICT

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

PROPOSAL NO. 120, 2002. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 120, 2002 on March 28, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Soards asked if this year's budget for the Department of Public Works (DPW) is also short three months and is only budgeted for nine months. Councillor Coughenour said that this has been the process in the past, where outstanding bills were rolled over to the next year's budget, but that budget was not increased to cover these additional expenditures. She said that this appropriation and the other three presented this evening will address that problem and insure that bills are paid out of the correct year's budget, so that there is not a shortfall.

Councillor Coonrod asked if it is legal to pay 2001 expenses with 2002 appropriations. Robert Elrod, General Counsel, said that if they have not been paid and are expenses incurred, it seems the only way they can be paid. He said that the Council can appropriate money in 2002 to pay bills incurred in 2001, but there might be questions about whether these bills were legitimately incurred if incurred without appropriations. Councillor Coonrod said that if these costs were not incurred without an appropriation, there would be no need for these proposals this evening. He said that is illegal to incur a cost without an appropriation.

Councillor Coughenour said that citizens' trash was picked up, and these vendors now need to be paid.

Councillor Smith said that he believed the bills were paid in 2001, and this is simply a reimbursement of funds into the General Fund from where the monies were taken to pay these bills.

Michael Williams, Financial Services, DPW, said that over the course of several years, DPW got into the practice of rolling over late November and December bills into the following year. These rollovers caused the following year to then have a shortfall in their budget. He said that these proposals should insure a one-time catch-up so that this practice no longer continues. Ms. Lawrence said that the 2003 budget will reflect the true 12 months of spending without rollovers.

Councillor Coonrod said that incurring such costs with appropriation is a violation of State law, and therefore past DPW directors have been in violation of the law. Ms. Lawrence said that she does not believe that to be the case. She said that the budgets were based on 12 months, but there were some higher costs and transfers are being made from fund balances to cover these shortfalls.

Councillor Coughenour said that this is not new money, but is simply a transfer from fund balances. Councillor Coonrod said that it is new money, because the department has incurred more than appropriated expenditures over a 12-month period, and has covered it by illegally holding invoices to pay in the following year.

Councillor Boyd said that this seems to be an acknowledgement that the procedure has not been done correctly in the past, and this is a one-time corrective effort to make the procedure valid. Ms. Lawrence stated that this is correct.

Councillor Horseman said that these questions should have been asked in 1998 and 1999, and this situation started under a totally different administration.

President SerVaas said that he has every faith in Ms. Lawrence's abilities as the new director, and if she testifies that these proposals will rectify the process, he believes they will be remedied.

President SerVaas called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 120, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 120, 2002 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2002, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2002

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 2002 (Solid Waste Collection Special Service District Fiscal Ordinance No. 3, 2001) appropriating an additional Two Hundred and Fifty-eight Thousand Dollars (\$258,000) in the Solid Waste Collection Service District Fund for purposes of the Department of Public Works, Operations Division, and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Service District Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 2002 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Operations Division, to pay for 2001 expenses as well as anticipated 2002 expenses for temporary labor services.

SECTION 2. The sum of Two Hundred and Fifty-eight Thousand Dollars (\$258,000) 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 appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>OPERATIONS DIVISION</u>	<u>SOLID WASTE COLLECTION</u> <u>SERVICE DISTRICT FUND</u>
3. Other Services and Charges	258,000
TOTAL INCREASE	258,000

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

	<u>SOLID WASTE COLLECTION</u> <u>SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered Solid Waste Collection Service District Fund	258,000
TOTAL DECREASE	258,000

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

President SerVaas reconvened the City-County Council.

NEW BUSINESS

Mr. Elrod said that the Majority and Minority Leaders have agreed on nominations for the County Salary Recommendations Panel as Bob Lazard, Jeff Saunders, and Chuck Ricks, and these appointments need to be confirmed. Councillor Borst moved, seconded by Councillor Boyd, to confirm these appointments. The appointments were confirmed by a unanimous voice vote.

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 Knox in memory of James W. Magee, John W. Cannaday, and Bethany Ratcliff; and
- (2) Councillors Tilford, Langsford, Soards, Bradford, and Schneider in memory of Lucille Cottey Smith; and
- (3) Councillor Horseman in memory of Thomas M. Scanlon; and
- (4) Councillors Dowden, Soards, Coonrod, and Schneider in memory of Ronald T. Roberts; and
- (5) Councillor Langsford in memory of Harry F. and Theresa Osis Armour; and
- (6) Councillor Moriarty Adams in memory of Donald Marlett and Teresa Page; and
- (7) Councillor Soards in memory of Dawn Axom.

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 James W. Magee, John W. Cannaday, Bethany Ratcliff, Lucille Cottey Smith, Thomas M. Scanlon, Ronald T. Roberts, Harry F. and Theresa Osis Armour, Donald Marlett, Teresa Page, and Dawn Axom. 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 8:46 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 8th day of April, 2002.

April 8, 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)