

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

**REGULAR MEETINGS
MONDAY, DECEMBER 16, 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 7:09 p.m. on Monday, December 16, 2002, with President Borst presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Bradford introduced new Fraternal Order of Police (FOP) president Vince Huber. Mr. Huber thanked Councillor Bradford for the introduction and said that a rally was held this evening with over 500 people in attendance. The goal of the rally was to bring attention to the fact that police officers are at an impasse with the City administration regarding contract negotiations. Councillor Talley said that these remarks are out of order, as this is simply a time to introduce visitors. Councillor Bradford said that he thinks the newly elected president of the FOP should be allowed to speak to the Council and express his concerns. President Borst allowed for a final brief comment by Mr. Huber. Mr. Huber said that the police force is open to communicating further with the City and is willing to work out a contract, and they are here to serve the entire community.

Councillor McWhirter recognized Wayne Township Fire Chief Ron Evans and Deputy Chief Gene Conzen.

Councillor Smith asked if he could ask Mr. Huber a question. President Borst said that unless the question is with regards to Mr. Huber's new position, this would not be in order. Councillor Smith said that it is with regards to his position. Councillor Smith asked if the FOP is still at the table willing to negotiate. Mr. Huber said that they are definitely willing to continue discussions.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 16, 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/Philip C. Borst, D.V.M.
President, City-County Council

November 26, 2002

TO PRESIDENT BORST 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, November 29, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 571, 573, 574, 576, and 577, 2002, said hearing to be held on Monday, December 16, 2002, at 7:00 p.m. in the City-County Building.

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

December 6, 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. 136, 2002 - approves of temporary tax anticipation borrowing for the City of Indianapolis during the period from January 1, 2003, through December 31, 2003

FISCAL ORDINANCE NO. 137, 2002 - approves of temporary tax anticipation borrowing for Marion County, Indiana, during the period from January 1, 2003, through December 31, 2003

FISCAL ORDINANCE NO. 140, 2002 - approves an increase of \$40,560 in the 2002 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund an additional appropriation for the Probation Department so they may expand their ability to assist in the process of screening and tracking Community Transition Program offenders, funded by a state grant (Department of Correction, Community Correction Grant Program)

December 16, 2002

FISCAL ORDINANCE NO. 141, 2002 - approves an appropriation of \$220,000 in the 2002 Budget of the Department of Public Works, (Transportation General Fund) to fund overtime hours used to clean up after the storms of September 20, 2002, financed by fund balances

FISCAL ORDINANCE NO. 142, 2002 - approves a transfer of \$175,000 in the 2002 Budget of the Department of Administration, Fleet Services Division (Consolidated County Fund) to cover costs for an upgrade of the Fleet Management System (M5) which will streamline workflow processes and improve responsiveness

FISCAL ORDINANCE NO. 143, 2002 - approves a transfer of \$400,000 in the 2002 Budget of the Department of Parks and Recreation (Park General Fund) to fund staffing for two year-round swimming pools (Forest Manor and Washington Middle Schools) unanticipated in the 2002 budget, as well as overtime needs for storm clean-up from September 20, 2002

FISCAL ORDINANCE NO. 145, 2002 - approves a transfer of \$102,024 in the 2002 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund additional work release beds and day reporting slots, and rescinds Fiscal Ordinance No. 67, 2002, due to incorrect transfer of dollar amount

FISCAL ORDINANCE NO. 146, 2002 - approves a transfer of \$250,000 in the 2002 Budget of the Department of Public Works, Operation Division (Transportation General Fund) to pay for renovation to the silk screen room within the sign paint shop to improve ventilation and to construct a pole barn for equipment storage

GENERAL ORDINANCE NO. 110, 2002 - amends the Revised Code relating to the citizens police complaint board

GENERAL RESOLUTION NO. 13, 2002 - approves the issuance of TIF bonds to repay 2001 BAN for Fall Creek Place (Home Ownership Zone)

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of November 25, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 592, 2002. The proposal, sponsored by Councillors Massie, Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Frick, Gibson, Gray, Horseman, Knox, Langsford, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, Short, Soards, Talley, and Tilford, confers the distinction of President Emeritus on Beurt SerVaas. Councillor Massie read the proposal and presented Dr. SerVaas with a copy of the document and a Council pin. Dr. SerVaas thanked the Council for the honor, and said that as a former member of the Navy he misses the Council as a captain misses his ship. Councillor Gibson wished Dr. SerVaas well and said that the "captain" of the ship is greatly missed, as well. Councillor Massie moved, seconded by Councillor Gibson, for adoption. Proposal No. 592, 2002 was adopted by a unanimous voice vote.

Proposal No. 592, 2002 was retitled COUNCIL RESOLUTION NO. 89, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 89, 2002

A PROPOSAL FOR A COUNCIL RESOLUTION conferring the distinction of President Emeritus on Beurt SerVaas.

Whereas, in November 1962 Beurt SerVaas was first elected to the Marion County Council; and

Whereas, Dr. SerVaas served continuously on the Marion County Council and the City-County Council until his retirement in November 2002; and

Whereas, for twenty-seven years prior to his retirement he served as President of the City-County Council; and

Whereas, his leadership, intellectual curiosity and gentlemanly demeanor set the tone for Unigov and has guided the Council for over a quarter of a century; and

Whereas, the revitalization of the city during that period reflects the success of his style of courtesy, conciliation and fairness to supporters and opponents alike; and

Whereas the Council desires his continued counsel and support; now, therefore:

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

SECTION 1. The City-County Council of the City of Indianapolis and Marion County does hereby designate and bestow the title and status of President Emeritus on Dr. Beurt SerVaas with all the privileges pertaining to such distinction.

SECTION 2. The citizens and officers of this city are encouraged to heed, respect and seek his counsel as the city embarks upon a bold new century of civic progress.

SECTION 3. The President Emeritus is encouraged to share his vision and insights with the Council on a regular basis.

PROPOSAL NO. 614, 2002. The proposal, sponsored by Councillors Borst, Coughenour, and Boyd, recognizes the public service of Marion County Clerk Sarah M. Taylor. Councillor Coughenour read the proposal and presented Ms. Taylor with a copy of the document and a Council pin. Ms. Taylor thanked the Council and said that it would not have been possible to accomplish all she has accomplished without a very qualified and dedicated staff. President Borst said that Ms. Taylor has run the office exceptionally well, and she will be missed. Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 614, 2002 was adopted by a unanimous voice vote.

Proposal No. 614, 2002 was retitled SPECIAL RESOLUTION NO. 73, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 2002

A SPECIAL RESOLUTION recognizing the public service of Marion County Clerk Sarah M. Taylor.

WHEREAS, Perry Township resident Sarah Taylor has served with distinction for two terms as Marion County Clerk; and

WHEREAS, she was first elected County Clerk in 1994, was reelected in 1998, and is now restricted by the State Constitution from a third term; and

WHEREAS, Sarah has focused her administration on technological innovation, election reform, spearheaded the effort for new voting machines for Marion County, and worked for services to families caught in the child support system; and

WHEREAS, during her eight years as Clerk she has earned a number of awards, including Clerk of the Year by her 91 County Clerk peers, she is a former President of the Indiana Clerk's Association, has

been on the Boards of the Indiana Association of Counties and the Indianapolis Bar Foundation, and this year was given the highest award of the Indiana Association of Counties for her dedicated service to her community and to county government; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Sarah M. Taylor for her energy, long hours, and commitment to the work of the Clerk's Office while serving for eight years as the Marion County Clerk.

SECTION 2. Sarah can now pause for a moment to spend some more time with her growing family before launching into the next stage of her life.

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. 616, 2002. The proposal, sponsored by Councillors Borst, Coughenour, and Boyd, recognizes the public service of Marion County Prosecutor Scott C. Newman. Councillor Coughenour read the proposal and presented Mr. Newman with a copy of the document and a Council pin. Mr. Newman said that it has been a privilege to serve, and the citizens of this City are receiving good government management. He said that he has viewed the Council as his board of directors, giving him the tools, advice, and respect needed to perform his job. He thanked his very qualified staff and his family for all their support. Councillor Talley said that he hopes Mr. Newman will encourage his replacement to continue the street-level prosecution program that Mr. Newman began, which has been extremely beneficial to his district. Councillor Coughenour moved, seconded by Councillor Soards, for adoption. Proposal No. 616, 2002 was adopted by a unanimous voice vote.

Proposal No. 616, 2002 was retitled SPECIAL RESOLUTION NO. 75, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 2002

A SPECIAL RESOLUTION recognizing the public service of Marion County Prosecutor Scott C. Newman.

WHEREAS, Scott Newman began serving as the Marion County Prosecutor in January, 1995, and immediately implemented as a cornerstone of his office a sharp reduction in plea-bargaining; and

WHEREAS, nearly 30 percent of all criminals serving Life Without Parole sentences in Indiana prisons were put there by Prosecutor Newman and his staff; and Scott personally prosecuted three murder cases with all three killers now residing on Indiana's Death Row; and

WHEREAS, during his two terms as Prosecutor Mr. Newman created programs for victims of crime, cooperated with the law enforcement officers, sent deadbeat dads to jail, and gained approval to consolidate the scattered offices of the Prosecutor's staff; and

WHEREAS, Scott is an honor graduate of Princeton and the University of Michigan Law School, and worked as a Deputy Prosecutor in the Marion County Prosecutor's Office before being elected Prosecutor; now, therefore

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Scott C. Newman for his eight years of service as Prosecutor of Marion County, for his being tough on criminals, for his personal warm congeniality, and for being a role model for high caliber people willing to serve in public office.

SECTION 2. The Council wishes Scott well as he prepares to enter the private sector to practice law.

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. 619, 2002. The proposal, sponsored by Councillors Borst, Coughenour, and Boyd, recognizes the public service of Judge Z. Mae Jimison. Councillor Boyd read the proposal and presented Ms. Jimison with a copy of the document and a Council pin. Ms. Jimison thanked the Council for the recognition and said that she will continue to be involved in helping people who are addicted, as with every addict, there are 11 other people affected by the addiction and it costs more to keep them locked up than it would to treat them. Councillor Gibson said that he is proud of Ms. Jimison's efforts with addicted persons, and he is committed to helping promote treatment options, as well. Councillor Conley agreed and said that there are still so many ways Ms. Jimison can be involved in this community. Councillor Boyd moved, seconded by Councillor Conley, for adoption. Proposal No. 619, 2002 was adopted by a unanimous voice vote.

Proposal No. 619, 2002 was retitled SPECIAL RESOLUTION NO. 78, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 2002

A SPECIAL RESOLUTION recognizing the dedicated public service of Judge Z. Mae Jimison.

WHEREAS, the pillar of a free nation rests upon the integrity of the judicial branch of government to maintain the judiciary as a fair, independent and equal branch of government; and

WHEREAS, patience, understanding, compassion, and adherence to the laws of the land must be a part of an able jurist; and

WHEREAS, Judge Z. Mae Jimison brought honor and dedication to the bench; and

WHEREAS, she is now leaving the bench after serving the citizens of Marion County well as a respected Judge; 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, in behalf of the citizens of Indianapolis and Marion County, extends its appreciation and gratitude to Judge Z. Mae Jimison and wishes her well in the future.

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

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

PROPOSAL NO. 617, 2002. The proposal, sponsored by Councillors Borst, Coughenour, and Boyd, recognizes the public service of Judge Richard Good. Councillor Coughenour read the proposal and presented Mr. Good with a copy of the document and a Council pin. Mr. Good thanked the Council for the recognition and said that there are many hard-working judges in this County and very qualified, yet understaffed, public defender and prosecutor offices. He said that he was glad to see the Council's support for addressing jail overcrowding during the recent budget discussions. Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 617, 2002 was adopted by a unanimous voice vote.

Proposal No. 617, 2002 was retitled SPECIAL RESOLUTION NO. 76, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 2002

A SPECIAL RESOLUTION recognizing the dedicated public service of Judge Richard Good.

WHEREAS, the pillar of a free nation rests upon the integrity of the judicial branch of government to maintain the judiciary as a fair, independent and equal branch of government; and

WHEREAS, patience, understanding, compassion, and adherence to the laws of the land must be a part of an able jurist; and

WHEREAS, Judge Richard Good brought honor and dedication to the bench;

WHEREAS, he is now leaving the bench after serving the citizens of Marion County well as a respected Judge; 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, in behalf of the citizens of Indianapolis and Marion County, extends its appreciation and gratitude to Judge Richard Good and wishes him well in the future.

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

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

PROPOSAL NO. 618, 2002. The proposal, sponsored by Councillors Borst, Coughenour, and Boyd, recognizes the public service of Judge William Lawrence. Councillor Coughenour read the proposal and moved, seconded by Councillor Talley, for its adoption. Proposal No. 618, 2002 was adopted by a unanimous voice vote.

Proposal No. 618, 2002 was retitled SPECIAL RESOLUTION NO. 77, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 2002

A SPECIAL RESOLUTION recognizing the dedicated public service of Judge William Lawrence.

WHEREAS, the pillar of a free nation rests upon the integrity of the judicial branch of government to maintain the judiciary as a fair, independent and equal branch of government; and

WHEREAS, patience, understanding, compassion, and adherence to the laws of the land must be a part of an able jurist; and

WHEREAS, Judge William Lawrence brought honor and dedication to the bench; and

WHEREAS, he is now leaving the bench after serving the citizens of Marion County well as a respected Judge; 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, in behalf of the citizens of Indianapolis and Marion County, extends its appreciation and gratitude to Judge William Lawrence and wishes him well in the future as a federal magistrate judge.

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

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

PROPOSAL NO. 620, 2002. The proposal, sponsored by Councillor Bradford, recognizes the Bishop Chatard High School state football champions. Councillor Bradford moved, seconded by Councillor Bainbridge, to postpone Proposal No. 620, 2002 until January 13, 2003. Proposal No. 620, 2002 was postponed by a unanimous voice vote.

PROPOSAL NO. 621, 2002. The proposal, sponsored by Councillors Langsford and Tilford, recognizes outstanding community volunteer students of the Warren Township Renaissance School. Councillor Langsford read the proposal and presented representatives with copies of the document and Council pins. Student Lucinda Stiles thanked the Council for the recognition. Councillors Tilford and Talley thanked the students for all their community efforts and challenged others to volunteer, as well. Councillor Langsford moved, seconded by Councillor Tilford, for adoption. Proposal No. 621, 2002 was adopted by a unanimous voice vote.

Proposal No. 621, 2002 was retitled SPECIAL RESOLUTION NO. 80, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 2002

A SPECIAL RESOLUTION recognizing outstanding community volunteer students of the Warren Township Renaissance School.

WHEREAS, the Renaissance School of the Metropolitan School District of Warren Township is an alternative school of 140 students in grades 6 to 12 who for a number of reasons function better in a smaller setting; and

WHEREAS, although they have had stumbling blocks along the way, with Renaissance's help and encouragement, and their own self-initiative, many of the students go far beyond what might be expected by young people in giving back with volunteer work to the community where they live; and

WHEREAS, some of the Renaissance School's recent volunteer projects have been working with the Warren Township Fire Department with picture and medical ID cards for the elderly, feeding the homeless at Lighthouse Mission, sponsoring a woman with seven kids for Christmas, and helping with the community-wide Warren Remembers 911 celebration that drew more people to the Warren Central football field than who attended the Governor's statewide ceremony downtown the same day; 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 applauds the following students of the Warren Township Renaissance School for their leadership, example-setting personal involvement, and living proof of "Warren Pride" in the East Side: Lucinda Stiles, Heather Raines, Tracey Herron, William Smith, Patrick Flynn, Shaquanna Shelton, Brittani Nevers, Toria Wells, Elijah Vandever, Geramy Ridley, Justin Ingram, Andrew Mills, Dawn Daniels, Tom Cox, Tosha Roberts, and Brooke Wills.

SECTION 2. The Council also recognizes Warren's Renaissance Service Learning Coordinator Beth Bryant and the school administration for helping make all of this happen.

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. 622, 2002. The proposal, sponsored by Councillors McWhirter, Conley, and Horseman, recognizes West Indy's 4th Annual Steak n Shake's Breakfast with Santa. Councillor McWhirter read the proposal and presented representatives with copies of the document and

Council pins. Marshall Lewis, founder and chair of the event, thanked the Council for the recognition, and introduced several sponsor representatives. They provided Council members with gifts, and fourth grader Brandyce Lewis read a poem to commemorate the event. Councillor Brents thanked Mr. Lewis for his efforts with this event. Councillor McWhirter moved, seconded by Councillor Conley, for adoption. Proposal No. 622, 2002 was adopted by a unanimous voice vote.

Proposal No. 622, 2002 was retitled SPECIAL RESOLUTION NO. 81, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 2002

A SPECIAL RESOLUTION recognizing West Indy's 4th Annual Steak n Shake's Breakfast with Santa.

WHEREAS, for the past three years, Steak n Shake Restaurants of Central Indiana and local businesses and individuals have been host to what has now become an annual event known as "Breakfast with Santa"; and

WHEREAS, the event has grown to include over 350 children with big smiles on their faces, and Steak n Shake has provided breakfast at no cost to the families; and

WHEREAS, this year the organizers hope to reach 800 children at the Wayne Township Fire Department host site for "Breakfast with Santa" on Saturday, December 21st, at the Fire Department Training Conference Center on North High School Road; and

WHEREAS, "Breakfast with Santa" sponsors this year include: Steak n Shake, The Mom Project, Indianapolis PAL Club, Parker Machinery, Indianapolis Public Schools, Vincennes University, Toys for Tots, the Indianapolis 500, Burger King, Homeless Initiative Project, Wayne Township Schools, Wayne Township Trustee's Office, Wayne Township Fire Department, The Recovery Room, Long's Bakery, Indianapolis Police Department's Books & Badges Program, Indy Parks, The Murat Flying Fezzes, the Marion County Sheriff's Department, Sunset Bowl, Becky Schenk, Honda West, and Lynn and Rich Elson; 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 all of those who make the Westside's Annual "Breakfast with Santa" event possible.

SECTION 2. Sometimes, a heartfelt ear-to-ear smile from a little child at Christmastime is all the reward that is needed for all of the time, trouble, and expense of planning and organizing this event.

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. 623, 2002. The proposal, sponsored by Councillors Langsford and Nytes, recognizes the public service of Marion County Children's Guardian Home Superintendent Paul B. Browne. Councillor Langsford read the proposal and presented Mr. Browne with a copy of the document and a Council pin. Mr. Browne thanked the Council for the recognition and introduced his wife and several staff members, as well as Kent Baker, president of the Guardian Home Foundation, who was the force behind generating so much money for the recent renovations. President Borst thanked Mr. Browne for all he has done for the community. Councillor Nytes said that Mr. Browne has provided a very important service to the community in a very quiet manner. Marty Womacks, County Auditor, said that she appreciates all of the contributions Mr. Browne has made to the Indianapolis and Irvington communities, and she wished him the best in the future. Councillor Langsford moved, seconded by Councillor Nytes, for adoption. Proposal No. 623, 2002 was adopted by a unanimous voice vote.

Proposal No. 623, 2002 was retitled SPECIAL RESOLUTION NO. 82, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 82, 2002

A SPECIAL RESOLUTION recognizing the public service of Marion County Children's Guardian Home Superintendent Paul B. Browne.

WHEREAS, Paul Browne has been Superintendent of the Marion County Children's Guardian Home since 1972; and

WHEREAS, a native of Louisville, Paul earned degrees at Bellarmine University and the University of Louisville, then spent his entire work life with children and young people in Head Start, Louisville Boys' Haven, and as a drug education coordinator with the Army Reserves at Ft. Benjamin Harrison; and

WHEREAS, settling in at the Guardian's Home in Irvington, he soon became active in the Sertoma Club of East Indianapolis which has worked with the kids at the Guardian's Home since the days when Eisenhower was President in the 1950's; and

WHEREAS, during his three decades at the helm of the Guardian's Home, Paul started the Guardian Home Foundation which successfully raised nine million dollars for an expansion and modernization project that is now fully paid for with no debt, provided an internship program for IU social work students, works with the Marion County Foster Grandparent program, and with other partnerships; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Paul B. Browne for his 30 years of dedicated and professional work as Superintendent of the Marion County Children's Guardian Home in Irvington.

SECTION 2. The Council wishes Paul, his wife Andrea of Community Hospital, and their two children all the very best in the future, and hopes that Paul will continue to play an active role in the life of Indianapolis for many years to come.

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

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

PROPOSAL NO. 585, 2002. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 585, 2002 on December 12, 2002. The proposal, sponsored by Councillor Cockrum, appoints Thomas H. Taylor to the Marion County Storm Water Management Advisory Committee. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bainbridge moved, seconded by Councillor Coughenour, for adoption. Proposal No. 585, 2002 was adopted by a unanimous voice vote.

Proposal No. 585, 2002 was retitled COUNCIL RESOLUTION NO. 90, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 90, 2002

A COUNCIL RESOLUTION appointing Thomas H. Taylor to the Marion County Storm Water Management Advisory Committee.

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 Marion County Storm Water Management Advisory Committee, the Council appoints:

Thomas H. Taylor

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 593, 2002. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Doris Anne Sadler to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 594, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grants totaling \$600,000 from the Drug Free Community Fund for 2003"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Coonrod moved, seconded by Councillor Moriarty Adams, to suspend the Rules to allow a vote on Proposal No. 594, 2002 this evening. The Rules were suspended by a unanimous voice vote.

PROPOSAL NO. 594, 2002. The proposal, sponsored by Councillor Dowden, approves certain public purpose grants totaling \$600,000 from the Drug Free Community Fund for 2003. Councillor Coonrod said that this is an uncontroversial proposal that does not appropriate any new funds, but simply allows grant programs to continue at the beginning of the year until the first Council meeting.

Councillor Horseman asked if these grants are from a specific fund. Melinda Haag, director of the Justice Agency, said that this fund was created by State statute and is a fund into which fines and fees of drug offenders are deposited. The actual appropriation was already approved during the budget process.

Councillor Coonrod moved, seconded by Councillor Schneider, for adoption. Proposal No. 594, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 ABSENT: Dowden

Proposal No. 594, 2002 was retitled GENERAL RESOLUTION NO. 14, 2002, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 14, 2002

A GENERAL RESOLUTION approving certain public purpose grants totaling \$600,000 from the Drug Free Community Fund.

WHEREAS, the City-County Council appropriated the sum of Six-Hundred- Thousand Dollars (\$600,000) in Section 1(k) of City-County Fiscal Ordinance No. 101, 2002, Estimated Revenues and Tax

Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, for funding grants to be made from the Drug Free Community Fund; and

WHEREAS, IC 5-2-11-5 requires that sums appropriated from the Drug Free Community Fund shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of each grant recipient; now, therefore:

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

SECTION 1. The following grants and administrative expenses totaling Six-Hundred-Thousand Dollars (\$600,000) from the Drug Free Community Fund are approved in the following amounts and projects for the following organizations:

DRUG FREE COMMUNITY FUND 2003 ANNUAL GRANT AWARDS		
ORGANIZATION	PROJECT	AMOUNT
I. PREVENTION/EDUCATION		
Ruth Lilly Health Education Center	Choose to Refuse	\$20,000
Boys and Girls Clubs	SMART Decisions	\$30,000
Pathway Family Center, Inc.	I've Been There	\$10,000
Family Service Ass'n	ATOD Workshops for Business	\$7,452
TCI, Inc.	Marion County Youth Congress	\$20,000
M.S.D. of Perry Twp.	Brightwood/Forest Manor Summer Day Camp	\$48,731
Area Youth Ministry	Young Champions	\$6,373
Dyslexia Institute of Indiana, Inc.	DII and Drug Free	\$13,627
CASI Community Addiction Services	HiFi	\$20,484.50
	Subtotal	\$176,667.50
II. TREATMENT		
Bethlehem House	Residential Recovery	\$8,000
The Julian Center	Drug Treatment Program	\$20,000
Superior Court, Juvenile Div.	Drug Treatment Court	\$36,320
Gallahue Mental Health Services	Assisted Living While in Treatment	\$44,942
Family Service Ass'n	Relapse Prevention	\$28,814
Marion County Public Defender	Sentencing Project	\$20,484.50
	Subtotal	\$158,560.50
III. CRIMINAL JUSTICE		
Superior Court	Drug Treatment Diversion	\$45,500
Marion County Prosecutor	Drug House Eviction/Nuisance Abatement Program	\$42,000
Probation-Adult Services	Probation Curfew Project	\$18,250
Superior Court, Adult Probation	Offender Drug Testing Confirmation Project	\$9,000
Marion County Justice Agency	Justice Center CJCCRP/WSCRCP	\$30,000
Superior Court	Community Court	\$40,000
	Subtotal	\$184,750
MISC./ADMINISTRATION		
Drug Free Marion County LCC	Administrative Expenses	\$80,022
	Subtotal	\$80,022
	TOTAL	\$600,000

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

PROPOSAL NO. 595, 2002. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Koefoot

Drive and Thousand Oaks Lane (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 596, 2002. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Paddock Road and Ralston Road (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 597, 2002. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Iowa Street and Orleans Street (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 598, 2002. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Epler Avenue and Linwood Avenue (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 599, 2002. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Mac Arthur Lane and Suburban Drive (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 600, 2002. Introduced by Councillor Douglas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the intersection controls at 35th Street and Manor Court (District 10)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 601, 2002. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the intersection controls at 19th Street and Bancroft Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 602, 2002. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 65th Street and Bettcher Avenue (District 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 603, 2002. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Vermont Street from West Street to Toledo Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 604, 2002. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes metered parking on Walnut Street between Delaware Street and Hudson Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 605, 2002. Introduced by Councillor Soards. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a reduction in the speed limit on Kissel Road from Lafayette Road to 96th Street (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 606, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Brenda L. Burke as the Director of the Department of Administration"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 607, 2002. Introduced by Councillors Boyd and Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 608, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Joseph L. B. Wynns as the Director of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 609, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Robert B. Turner as the Director of the Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 610, 2002. Introduced by Councillors Boyd and Coughenour. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Barbara A. Lawrence as the Director of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 611, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Michael B. O'Connor as the Chief Deputy Mayor"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 612, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Jane Henegar as the Deputy Mayor for Policy"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 613, 2002. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Carolyn M. Coleman as the Deputy Mayor for Neighborhoods"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Coonrod made the following motion:

Mr. President:

I move that Proposal No. 633, 2002 (Rezoning Case 2002-ZON-122/2002-DP-013) be scheduled for a hearing before this Council at its next regular meeting on January 13, 2003, 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 Horseman seconded the motion, and Proposal No. 633, 2002 was scheduled for a public hearing on January 13, 2003 by a unanimous voice vote and is identified as follows:

2002-ZON-122 (2002-DP-013)
10940 EAST 42ND STREET (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #5
CROSSMAN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests a rezoning of 77.1 acres, being in the D-P (FF) District, to the D-P (FF) classification to provide for 282 single-family dwellings, resulting in 3.66 units per acre.

General Counsel Robert Elrod read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2002-ZON-122 (2002-DP-013), Council Proposal No. 633, 2002, at its next regular meeting on January 13, 2003, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 77.1 acres at 10940 East 42nd Street from D-P (FF) District to D-P (FF) classification to provide for a 282 single-family dwellings, resulting in 3.66 units per acre.

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

PROPOSAL NOS. 624-630, 2002, PROPOSAL NO. 631, 2002, and PROPOSAL NO. 632, 2002. Introduced by Councillor Smith. Proposal Nos. 624-630, 2002, Proposal No. 631, 2002 and Proposal No. 632, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 5, 3, and 10, 2002, respectively. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 160-167, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 160, 2002.
2001-ZON-170
926 N. NEW JERSEY (Approximate Address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22
NEIGHBORHOOD DOWNTOWN ZONING ASSISTANCE, INC., request a rezoning of .49 acre, being in the C-4 District, to the CBD-2.

REZONING ORDINANCE NO. 161, 2002.
2002-ZON-069
802-846 DR. MARTIN LUTHER KING JR. STREET (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 1.19 acres, being in the I-3-U (RC) District, to the D-8 (RC) classification to provide for single-family development.

REZONING ORDINANCE NO. 162, 2002.
2002-ZON-142 (2002-DP-016)
2301 NORTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12
DURA-BUILDERS, INC, by Philip A. Nicely, request a rezoning of 26.125 acres, being in the D-A District, to the D-P classification to provide for 93 single-family dwellings resulting in 3.55 units per acre.

REZONING ORDINANCE NO. 163, 2002.

2002-ZON-146

2008, 2010, 2012, 2014, 2016, 2024, 2028, 2030, 2044, 2046, 2050, and 2052 NORTH LUETT AVENUE (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

UNIVEST INC. / HABITAT FOR HUMANITY OF GREATER INDIANAPOLIS., by David E. Kingen, request a rezoning of 1.45 acres, being in the I-2-U District, to the D-8 classification to provide for residential development.

REZONING ORDINANCE NO. 164, 2002.

2002-ZON-149

300, 400, 412, and 468 WEST FALL CREEK BOULEVARD, 427 WEST 23RD STREET, 2253, 2257, 2261, 2265, 2271, 2275, 2277, 2281, 2285, and 2289 INDIANAPOLIS AVENUE, and 2276, 2278, 2286, 2288, and 2292 PARIS AVENUE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

CHRIST TEMPLE APOSTOLIC CHURCH, by David Kingen, requests a rezoning of 6.74 acres, being in the D-8 (W-1) and PK-1 (W-1) Districts, to the SU-1 (W-1) classification to provide for religious uses.

REZONING ORDINANCE NO. 165, 2002.

2002-ZON-841

27 and 35 EAST 39TH STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 6

INNER DEVELOPMENT CORPORATION, by Kurt F. Pantzer, III, requests a rezoning of 0.419 acre, being in the D-5 District, to the D-8 classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 166, 2002.

2002-ZON-133 (2002-DP-014)

7527 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

JEFFREY A. and MADONNA E. KASTING request a rezoning of 10 acres, being in the D-A District to the D-P classification to provide for three single-family dwellings, or 0.3 units per acre.

REZONING ORDINANCE NO. 167, 2002.

2002-ZON-072

5665 EDEN VILLAGE DRIVE (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

AHEPA NATIONAL HOUSING CORPORATION requests a rezoning of 3.40 acres, being in the C-S District, to the C-S classification to provide for a senior residential development.

PROPOSAL NO. 591, 2002. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 591, 2002 on December 9, 2002. The proposal, sponsored by Councillor Smith, is a final resolution for Canal Square Associates, L.P. in an amount not to exceed \$12,300,000 which consists of refinancing the acquisition, construction and equipping of an existing 275-unit multifamily residential facility located on approximately 3.1 acres of land located at 402 West New York Street (District 16). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Horseman, for adoption. Proposal No. 591, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Boyd

1 ABSENT: Dowden

Proposal No. 591, 2002 was retitled SPECIAL ORDINANCE NO. 7, 2002, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 2002

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue \$12,300,000 City of Indianapolis, City of Indianapolis, Indiana Variable Rate Demand Multifamily Housing Revenue Refunding Bonds, Series 2002 (Canal Square Apartments Project) (the "Bonds") and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9, and 12, et seq., as supplemented and amended and Indiana Code Title 5, Article 1, Chapter 5 et seq., as supplemented and amended (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act permits an issuer to issue bonds and loan the proceeds thereof to qualified borrowers for the purpose of financing or refinancing the costs of the acquisition and rehabilitation of multifamily housing projects for persons and families of low income residing in the State of Indiana; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership, trust or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a Representative of the Borrower on behalf of Canal Square Associates, a Limited Partnership (the "Borrower") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Borrower in order to enable the Borrower to finance or refinance certain capital assets, including, but not limited to, the refinancing the acquisition, construction and equipping of an existing 275-unit multifamily residential facility located on approximately 3.1 acres of land located at 402 West New York Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report concerning the proposed refinancing of economic development facilities for the Borrower and the report has been submitted to the Metropolitan Development Commission of Marion County for comment thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to refinance the Project by issuing not to exceed \$12,300,000 City of Indianapolis, Indiana Variable Rate Demand Multifamily Housing Revenue Refunding Bonds, Series 2002 (Canal Square Apartments Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 2002, pursuant to Indiana Code Title 36, Article 7, Chapter 12 et seq., as supplemented and amended and Indiana Code Title 5, Article 1, Chapter 5 et seq., as supplemented and amended (collectively, the "Act"), Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the refinancing of the Project complies with the purposes and provisions of the Act and that such refinancing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the refinancing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and; now, therefore:

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

SECTION 1. It is hereby found that the financing and refinancing of the economic development facilities referred to in the Financing Documents consisting of the Project; the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Borrower for the purposes of financing, refinancing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Borrower will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with

the Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Commission hereby recommends that the issuer issue its Series 2002 Bonds in the aggregate principal amount not to exceed \$12,300,000, for the purpose of procuring funds to loan to the Borrower in order to finance, refinance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest from the payments made by the Borrower pursuant to the Financing Agreement and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Commission recommends that: (i) the Issuer approve the use and distribution of an Official Statement, in substantially the form submitted to the Issuer, in connection with the issuance, sale and delivery of the Bonds, and that the Mayor of the Issuer sign the Official Statement if so requested by counsel to the Underwriter; (ii) the Issuer deem the Official Statement to be final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters; and (iii) the Mayor, the City Clerk or any other officer or the Issuer familiar with the matters with respect to the Issuer set forth in the Official Statement certify to the Underwriter that the information in the Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof plus accrued interest, if any, and a rates of interest not to exceed 12% per annum. The Bonds will mature no later no later than 30 years from their date of issuance.

SECTION 6. The Commission further recommends that the Mayor and City Clerk be authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The Commission further recommends that the City Clerk and the City Controller be authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Commission further recommends that the Mayor and Clerk be authorized, without further legislative action, to execute such supplements to the Financing Agreement as may be necessary or appropriate to memorialize a remarketing of the Bonds on terms authorized or not inconsistent with the Financing Agreement. The Mayor and the City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or the City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of the special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, the special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. The Secretary of this Commission is directed to cause this resolution and two copies of the Financing Documents in their final forms to be transmitted to the office of the Clerk of the Council for presentation to the City-County Council with the recommendation that the City-County Council approve such documents in their final forms pursuant to the proposed form of Special Ordinance hereby recommended to the City-County Council.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 571, 2002. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 571, 2002 on December 3, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$25,000 in the 2002 Budget of the County Treasurer (Enhanced Access Fund) to reimburse member agencies for enhanced access expenses, 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 Borst called for public testimony at 8:34 p.m. There being no one present to testify, Councillor McWhirter moved, seconded by Councillor Nytes, for adoption. Proposal No. 571, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Gray, Talley

1 ABSENT: Dowden

Proposal No. 571, 2002 was retitled FISCAL ORDINANCE NO. 147, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 147, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 96, 2001) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the Enhanced Access Fund for purposes of the County Treasurer and reducing the unappropriated and unencumbered balance in the Enhanced Access Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (e) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Treasurer to reimburse member agencies for enhanced access expenses.

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

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY TREASURER</u>	<u>ENHANCED ACCESS FUND</u>
3. Other Services & Charges	<u>25,000</u>
TOTAL INCREASE	25,000

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

	<u>ENHANCED ACCESS FUND</u>
Unappropriated and Unencumbered	
Enhanced Access Fund	<u>25,000</u>
TOTAL REDUCTION	25,000

SECTION 5. The projected December 31, 2002, fund balance for the Enhanced Access Fund is as follows:

Current cash balance (November 15, 2002)	275,022
Anticipated additional revenue through December 31, 2002	<u>7,000</u>
Projected funds available	282,022
Remaining appropriations and encumbrances	9,254
Proposed additional appropriation	<u>25,000</u>
Projected fund balance December 31, 2002	247,768

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

In Chairman Dowden's absence, Councillor Coonrod reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 574, 576, and 577, 2002 on December 4, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 574, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$19,844 in the 2002 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund the Protective Order Pro Bono Project, funded by a federal grant. PROPOSAL NO. 576, 2002. The proposal, sponsored by Councillor McWhirter, approves an increase of \$50,402 in the 2002 Budget of the Clerk of the Circuit Court (Clerk's Perpetuation Fund) to fund computer upgrades, financed by fund balances. PROPOSAL NO. 577, 2002. The proposal, sponsored by Councillors Dowden and Soards, approves an increase of \$15,000 in the 2002 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to provide support for criminal history integration with statewide data, funded by a grant from the Indiana Criminal Justice Institute. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Borst called for public testimony at 8:36 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 574, 576, and 577, 2002 were adopted on the following roll call vote; viz:

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

Proposal No. 574, 2002 was retitled FISCAL ORDINANCE NO. 148, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 148, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Nineteen Thousand Eight Hundred Forty-four Dollars (\$19,844) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to fund the Protective Order Pro Bono Project. Funds will be used to defray the cost of a trained protective order clerk with a paralegal/college background to assist pro bono attorneys.

SECTION 2. The sum of Nineteen Thousand Eight Hundred Forty-four Dollars (\$19,844) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	19,844
TOTAL INCREASE	19,844

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

<u>STATE AND FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>19,844</u>
TOTAL REDUCTION	19,844

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

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

Proposal No. 576, 2002 was retitled FISCAL ORDINANCE NO. 149, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 149, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Fifty Thousand Four Hundred Two Dollars (\$50,402) in the Clerk's Perpetuation Fund for purposes of the Clerk of the Circuit Court and reducing the unappropriated and unencumbered balance in the Clerk's Perpetuation 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(h) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Clerk of the Circuit Court to fund computer equipment upgrades.

SECTION 2. The sum of Fifty Thousand Four Hundred Two Dollars (\$50,402) 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>CLERK OF THE CIRCUIT COURT</u>	<u>CLERK'S PERPETUATION FUND</u>
4. Capital Outlay	<u>50,402</u>
TOTAL INCREASE	50,402

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

<u>CLERK'S PERPETUATION FUND</u>	
Unappropriated and Unencumbered	
Clerk's Perpetuation Fund	<u>50,402</u>
TOTAL REDUCTION	50,402

SECTION 5. The projected December 31, 2002, fund balance for the Clerk's Perpetuation Fund is as follows:

Current cash balance (November 15, 2002)	235,321
Anticipated additional revenue through December 31, 2002	<u>25,050</u>
Projected funds available	260,371
Remaining appropriations and encumbrances	12,069
Proposed additional appropriation	<u>50,402</u>
Projected fund balance December 31, 2002	197,900

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

Proposal No. 577, 2002 was retitled FISCAL ORDINANCE NO. 150, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 150, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Fifteen Thousand Dollars (\$15,000) in the State and Federal Grants Fund for purposes of the County Auditor and the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (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 County Auditor and the Marion County Justice Agency to provide support for criminal history integration with statewide data

SECTION 2. The sum of Fifteen Thousand Dollars (\$15,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - fringes	506
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	3,709
3. Other Services and Charges	<u>10,785</u>
TOTAL INCREASE	15,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>15,000</u>
TOTAL REDUCTION	15,000

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

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 459, 2001. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 459, 2001 on November 13, 2001, January 15, February 12, April 9, June 4, August 6, September 17, and November 25, 2002. The proposal, sponsored by Councillors Cockrum, Massie, Talley, Moriarty Adams, and Soards, approves a financing plan for acquisition of new voting system for Marion County. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Cockrum explained the process that led to the recommendation of new voting equipment and Councillor Massie explained the funding, as noted in the proposal and Committee hearings.

Councillor Boyd asked how soon this new equipment can be in place, and when is the first election in which it can be used. Councillor Massie said that if the proposal passes this evening, the new software will be in place for the May 2003 election.

Councillor Sanders asked where the source of the bridge financing will come from. Bob Swhier, attorney consulting on this issue, said that the financing will come from the Indianapolis Municipal Public Improvement Bond Bank. Councillor Sanders asked if the City would be liable for repayment to the Bond Bank if the federal funding does not materialize. Mr. Swhier said that this is correct. Councillor Sanders asked in light of using non-election year funds to repay the bonds if the federal funding is not available, if additional interest will be added to the total bond issuance. Mr. Swhier said that this is correct. Councillor Sanders asked if the City is then responsible for paying that back. Mr. Swhier said that it is actually the County that is liable.

Councillor Sanders asked if training will be provided for voters. Sarah Taylor, County Clerk, said that marketing and education is a part of the total package and they hope to roll out the new equipment using public relations avenues such as mass mailings, cable station promotionals, announcements on movie theater screens, mall advertising, and neighborhood meetings. She said that there is a very strong marketing and educational tool included. Councillor Sanders said that she would strongly encourage this part of the package.

Councillor Gibson said that while he agrees the current machines are outdated, he still has questions about the vendor and funding. He asked if there will be lobbying with the Legislature to make sure this funding materializes. Ms. Taylor said that the City definitely qualifies for this funding and she has personally lobbied for those dollars and the Office of the County Clerk will continue to do so. Councillor Gibson asked if a copy of the ordinance, when passed, can be sent to the State. Ms. Taylor said that one definitely will. Councillor Gibson asked if the optical scan technology chosen is really the best avenue. He said that North Carolina has had some problems with these types of machines and he has heard other states have experienced difficulties as well. Ms. Taylor said that she is convinced this is the best possible technology at this time. She said that the optical scan machines were chosen because they are easy for voters and poll workers, and they are perfect for re-count purposes. She said that optical scanning is the most widely used and most often purchased system in the United States. She believes it is absolutely the right decision with regards to technology. She added that all American Disabilities Act (ADA) requirements will be met in Phase II of the roll-out. She said that touch-screen devices do not have the same security as optical scanning and do not provide a paper record for re-count purposes. Councillor Gibson asked if the delay in the ADA roll-out will jeopardize federal funding. Ms. Taylor said that it will not, because Phase II complies with all federal requirement timelines. Councillor Gibson said that the estimate for a re-count is 40 cents per ballot. He asked if the Clerk's Office can absorb that type of a cost. Ms. Taylor said that there is already money in the budget for re-counts and ballots that should cover such a situation. Councillor Gibson asked what the current cost per ballot is. Ms. Taylor said it is approximately 17 cents per ballot, but there is a sufficient operational budget included.

Councillor Nytes said that she participated a little in the study committee and appreciates all the work they did. However, she is still nervous about the "if" factor built into the financing aspect. She asked if there is any assurance the State will truly fund this transition. Councillor Massie said that there is no assurance, but if the full \$800,000 from the State is awarded, it will reimburse more than 100% of the total cost, which does not even include the federal funding. He said that if these funds do not materialize, the Clerk's Office has an alternative option to use non-election-year funds. He said that James Steele, Council Financial Consultant, has also indicated there might be other sources for funds. Although it seems unlikely these federal and State funds will

not be available, it is a possibility. Councillor Nytes said that according to the handout regarding worst and best-case scenarios, the worst-case scenario would include an additional \$2.5 million in interest costs and extend the loan until 2014. Councillor Massie said that this is true, but the current machines must be replaced due to federal requirements, and if the City does not move now, they will not qualify for these funding sources. Councillor Nytes said that this new system is computer-based, and therefore she has reservations that it may become out-of-date technology before it is even paid off if payments are extended to 2014. President Borst said that the County is lucky the clerk foresaw the future federal requirements would change and began this process early.

Councillor Schneider said that he will reluctantly support the proposal, but wants to go on record as saying he is not pleased that the local vendor was not chosen. He said that the City should support local businesses as often as possible.

Councillor Gibson asked why the local company was not chosen. Ms. Taylor said that it was a fair bid process, and by using a local vendor, parts of the transition would have had to be provided by other vendors. The committee felt that using one vendor for the entire process was the best solution. She invited Councillors to visit the Clerk's Office and view both systems first-hand.

Councillor Horseman asked with technology moving as fast as it is, how long can this new system stay in place. Ms. Taylor said that this is a long-range solution, and although it may not be the very latest technology, it is tried and true. The federal government is mandating new requirements, and no other design studied proved to be more durable or long-range.

Councillor Massie added that this is the best possible situation at this time, and even though the funding may not come through, he believes it will. He added, however, that it will not hurt to look at replacement funds. He added that the package has an extensive training and public relations component.

Councillor Massie moved, seconded by Councillor Cockrum, for adoption. Proposal No. 459, 2001 was adopted on the following roll call vote; viz:

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

Councillor Bradford asked for consent to explain his vote. Consent was given. He said that with the amendments made to the proposal and added requirements, he believes the project should have been re-bid, and therefore, he voted in opposition because it was not.

Proposal No. 459, 2001 was retitled SPECIAL RESOLUTION NO. 74, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 2002

A PROPOSAL FOR A SPECIAL RESOLUTION approving a financing plan for acquisition of a new voting system for Marion County.

Whereas, the Marion County Election Board is in the process of acquiring a new voting system for Marion County to replace the mechanical voting machines; and

Whereas, the balances in the Marion County General Fund for such expenditure are unavailable because of other expenses; Now, Therefore:

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

SECTION 1. The Council pledges to allocate and appropriate up to Four Hundred Seventy-Five Thousand Dollars (\$475,000) annually in the years 2003 through and including 2013 as necessary to pay debt service on or to secure any obligations or any lease rental or contractual payments on the new voting system.

SECTION 2. The Council pledges to appropriate from the County General Fund the additional sums of up to One Million Five Hundred Thousand Dollars (\$1,500,000) in each of the calendar years 2005, 2009 and 2013 to pay debt service on or to secure any obligations or any lease rental or contractual payments on the new voting system.

SECTION 3. This resolution is adopted to encourage the Marion County Election Board to acquire a new voting system and assure the Board that the Council will provide financing for such acquisition within the amounts authorized by this resolution.

SECTION 4. The Marion County Election Board and the Clerk of the Marion Circuit Court are requested to pursue the receipt of one or more federal, state or other grants for the benefit of the County, which funds shall be used either to reduce the amount of the obligations incurred to finance the purchase of the new voting system or immediately to redeem, retire or reduce such obligations.

PROPOSAL NO. 572, 2002. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 572, 2002 on December 12, 2002. The proposal, sponsored by Councillors Cockrum and Douglas, approves a transfer of \$30,000 in the 2002 Budget of the Department of Parks and Recreation (Federal Non-lapsing Grants Fund) to continue the after-school programs at Forest Manor School and School 108 for the 2002-2003 school year. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 572, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Gibson, Talley

1 ABSENT: Dowden

Proposal No. 572, 2002 was retitled FISCAL ORDINANCE NO. 151, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 151, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) transferring and appropriating Thirty Thousand Dollars (\$30,000) in the Federal Non-lapsing Grants Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (l) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to

continue the after-school programs at Forest Manor School and School 108 for the 2002-2003 school year.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) in the Federal Non-lapsing Grants Fund be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL NON-LAPSING GRANTS FUND</u>
1. Personal Services	<u>30,000</u>
TOTAL INCREASE	30,000

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL NON-LAPSING GRANTS FUND</u>
3. Other Services and Charges	<u>30,000</u>
TOTAL DECREASE	30,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the 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.

In Chairman Dowden's absence, Councillor Coonrod reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 575 and 578, 2002 on December 4, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 575, 2002. The proposal, sponsored by Councillor Dowden, approves a transfer of \$44,656 in the 2002 Budget of the Clerk of the Circuit Court (County General Fund) to fund increased postal expenses and the completion of bank reconciliations by an accounting firm. PROPOSAL NO. 578, 2002. The proposal, sponsored by Councillor Dowden, approves a transfer of \$59,715 in the 2002 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to support the continuation of the Arrestee Drug Abuse Monitoring Program (ADAM) from October 1, 2002, to September 30, 2003. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Coonrod moved, seconded by Councillor Soards, for adoption. Proposal Nos. 575 and 578, 2002 were adopted on the following roll call vote; viz:

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

Proposal No. 575, 2002 was retitled FISCAL ORDINANCE NO. 152, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 152, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) transferring and appropriating an additional Forty-four Thousand Six Hundred Fifty-six Dollars (\$44,656) in the County General Fund for purposes of the Clerk of the Circuit Court and reducing certain other appropriations for that office.

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 I(a) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Clerk of the Circuit Court to fund increased postal expenses and the completion of bank reconciliations by an accounting firm.

SECTION 2. The sum of Forty-four Thousand Six Hundred Fifty-six Dollars (\$44,656) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
3 Other Services and Charges	44,656
TOTAL INCREASE	44,656

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

<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	8,000
4. Capital Outlay	36,656
TOTAL DECREASE	44,656

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

Proposal No. 578, 2002 was retitled FISCAL ORDINANCE NO. 153, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 153, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) transferring and appropriating an additional Fifty-nine Thousand Seven Hundred Fifteen Dollars (\$59,715) in the State and Federal Grants Fund for purposes of the County Auditor and 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 I.02(g) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Marion County Justice Agency to support the continuation of the Arrestee Drug Abuse Monitoring Program (ADAM) from October 1, 2002, to September 30, 2003.

SECTION 2. The sum of Fifty-nine Thousand Seven Hundred Fifteen Dollars (\$59,715) 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>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	59,715
TOTAL INCREASE	59,715

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	13,849

<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	45,866
TOTAL DECREASE	59,715

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

PROPOSAL NO. 579, 2002. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 579, 2002 on December 12, 2002. The proposal, sponsored by Councillors Bainbridge and Moriarty Adams, supports the development and participation in an eight-hour ozone Early Action Compact for central Indiana to help reduce ozone and to improve the air quality for central Indiana. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Frick said that he opposes the proposal because the program suggests voluntary methods that will prove to be destructive to small businesses and enterprise development.

Councillor Coughenour said that this ordinance simply allows the City to enter into a study with surrounding areas. She says this study will give the City time before having to meet rigid standards and measures. She said that when choosing a city for location, most businesses do not look at areas that are not in compliance with environmental standards, and therefore this proposal will actually benefit enterprise development.

Councillor Schneider said that he opposes the proposal because it is a federal issue and is simply another in a long line of unfunded mandates. He said that he believes it steps on the liberties of small businesses and entrepreneurs.

Councillor Nytes said that this proposal will help with very progressive transportation policies and these solutions need to be considered with or without a mandate.

Councillor Bainbridge moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 579, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 579, 2002 was retitled SPECIAL RESOLUTION NO. 79, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 2002

A SPECIAL RESOLUTION concerning participation in an Early Action Compact to improve air quality for the citizens of Indianapolis and central Indiana.

WHEREAS, Indianapolis and central Indiana residents expect good air quality for our communities and our children now and for future generations; and

WHEREAS, the United States Environmental Protection Agency has set National Ambient Air Quality Standards to protect the public health and well-being of citizens in the United States; and

WHEREAS, central Indiana experienced twenty-six days in the summer of 2002 where the Air Quality Index indicated that the air quality in central Indiana was unhealthy for the pollutant ozone; and

WHEREAS, measured air quality readings in Boone, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, and Shelby counties exceed the eight-hour National Ambient Air Quality Standard for ozone for the three-year period of 2000, 2001, and 2002; and

WHEREAS, it is in the best interests of the residents, businesses and visitors to central Indiana to breathe clean air and continue with economic growth and development to improve our community and neighborhoods; 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 supports the development and participation in an eight-hour ozone Early Action Compact for central Indiana to help to reduce ozone and improve the air quality for central Indiana.

SECTION 2. The Council encourages other central Indiana counties and communities to join in this effort to provide improved air quality and continued economic development opportunities in central Indiana.

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

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

PROPOSAL NO. 580, 2002. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 580, 2002 on December 12, 2002. The proposal, sponsored by Councillors Brents and Horseman, authorizes a change in parking restrictions on Louisiana Street between McCrea Street and Meridian Street (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bainbridge moved, seconded by Councillor Brents, for adoption. Proposal No. 580, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Gibson, Talley

1 ABSENT: Dowden

Proposal No. 580, 2002 was retitled GENERAL ORDINANCE NO. 111, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 2002

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations.

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. 621-120, Special parking privileges for certain persons or vehicles in certain locations, be and the same is hereby amended by the addition of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

- (3) Any official vehicle of the United States Government, so marked or identified, and no others, may park at any time in the following locations:

Louisiana Street, on the north side, from a point 63 feet west of Meridian Street,
to a point 29 feet west of Meridian Street

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

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

President Borst convened the Police Special Service District Council.

PROPOSAL NO. 573, 2002. In Chairman Dowden's absence, Councillor Coonrod reported that the Public Safety and Criminal Justice Committee heard Proposal No. 573, 2002 on December 4, 2002. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves an appropriation of \$300,000 in the 2002 Budget of the Department of Public Safety, Police Division (Police General Fund) to pay increased costs of health insurance benefits for active and retired sworn officers and civilian employees, financed by fund balances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 9:28 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 573, 2002 was adopted on the following roll call vote; viz:

25 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Frick, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, Short, Soards, Tilford

0 NAYS:

3 NOT VOTING: Gibson, Smith, Talley

1 ABSENT: Dowden

Proposal No. 573, 2002 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2002, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2002

A FISCAL ORDINANCE amending the Police Special Service District Budget for 2002 (City-County Police Special Service District Ordinance No. 3, 2001) appropriating Three Hundred Thousand Dollars (\$300,000) in the Police General Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to pay for health insurance benefits for active and retired sworn officers and civilian employees.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) 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:

DEPARTMENT OF PUBLIC SAFETY
POLICE DIVISON

1. Personal Services
TOTAL INCREASE

POLICE GENERAL FUND

300,000
300,000

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

	<u>POLICE GENERAL FUND</u>
Unappropriated and Unencumbered	
Police General Fund	<u>300,000</u>
TOTAL REDUCTION	300,000

SECTION 5. The projected December 31, 2002, fund balance for the Police General Fund is as follows:

Current cash balance – June 30, 2002	17,509,494
Anticipated additional revenue through December 31, 2002	<u>41,017,587</u>
Projected funds available	58,527,081
Remaining appropriations and encumbrances	45,836,571
Proposed additional appropriation	<u>300,000</u>
Projected fund balance December 31, 2002	12,390,510

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

President Borst reconvened the City County Council.

NEW BUSINESS

Councillor Short thanked all of the City and County employees on behalf of the citizens of Indianapolis for another year of service.

President Borst wished everyone a Merry Christmas and a Happy New Year and encouraged them to reflect on the true reason for the season and the greatest birthday ever known.

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 Frick in memory of Marie Rich; and
- (2) Councillors McWhirter and Bainbridge in memory of Esther Mann; and
- (3) Councillors Nytes and Moriarty Adams in memory of Frank Shea; and
- (4) Councillor Soards in memory of Gordon Bossung; and
- (5) Councillor Knox in memory of James Harvey Bonta; and
- (6) Councillors Langsford and Sanders in memory of James H. Hermsdorfer; and
- (7) Councillor Sanders in memory of C. Michael Pitts; and
- (8) Councillor Massie in memory of Freda Sperry Thompson; and
- (9) Councillors Short and Black in memory of Herman Johnson; and
- (10) Councillors Dowden and Coonrod in memory of Fred Madorin; and
- (11) Councillor Moriarty Adams in memory of Tom Reese; and
- (12) Councillor Horseman in memory of Tillie Phillips.

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 Marie Rich, Esther Mann, Frank Shea, Gordon Bossung, James Harvey Bonta, James H. Hermsdorfer, C. Michael Pitts, Freda Sperry Thompson, Herman Johnson, Fred Madorin, Tom Reese, and Tillie Phillips. He

respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:30 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 16th day of December, 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)