

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

**REGULAR MEETINGS**

**MONDAY, JUNE 23, 2003**

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 7:08 p.m. on Monday, June 23, 2003, with President Borst presiding.

Councillor Tilford led the opening prayer. In recognition of the upcoming Independence Day Holiday, Councillor Tilford introduced the Heroes of 1776, who invited all present to join them in the Pledge of Allegiance to the Flag and in singing the National Anthem.

**ROLL CALL**

President Borst 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, Conley, Coonrod, Coughenour, Douglas, Dowden, Frick, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, Short, Smith, Soards, Talley, Tilford*  
*1 ABSENT: Cockrum*

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Conley acknowledged his wife, Judith, who recently underwent surgery and is at home recovering. He also welcomed his sister-in-law Ida Jean Clifton, who works for the John F. Kennedy Foundation in New York, to the city to help in his wife's recovery. Councillor Horseman recognized former Mayor Charles Boswell and his son and daughter-in-law, Jack and Darlene Boswell. Councillor Gibson introduced Bob Osley, a friend and architect in the city. Councillor Sanders recognized Dane Mahern and Greg Bowes, City-County Council candidates. Councillor McWhirter recognized Council candidates Marilyn Pfisterer and Earl Salisbury. Councillor Gray welcomed former Indianapolis Fire Department Chief Jack Boswell.

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, June 23, 2003, 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

June 3, 2003

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, June 6, 2003, a copy of a Notice of Public Hearing on Proposal Nos. 241, 287, 290, 294-296, and 301-303, 2003, said hearing to be held on Monday, June 23, 2003, at 7:00 p.m. in the City-County Building.

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

June 19, 2003

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 *Indianapolis Business Journal* and in the *Indianapolis Star* on Saturday, June 21, 2003, and in the *Court and Commercial Record* on Monday, June 23, 2003, a copy of a Notice of Public Hearing on the County Homestead Credit Ordinance, said hearing to be held on Monday, June 30, 2003, at 7:00 p.m. in the City-County Building.

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

June 13, 2003

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:

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. 54, 2003 - approves an increase of \$450,000 in the 2003 Budget of the Office of the Controller (City Cumulative Capital Improvement Fund) to acquire the property formerly occupied by Central State Hospital and to begin environmental surveys and preliminary design for a temporary facility to house the IPD mounted patrol, financed by fund balances

FISCAL ORDINANCE NO. 55, 2003 - approves an increase of \$800,000 in the 2003 Budget of the Office of the City Controller (City Cumulative Capital Improvement Fund) to provide funding for certain capital improvements for the Indianapolis Housing Authority, financed by fund balances

June 23, 2003

FISCAL ORDINANCE NO. 56, 2003 - approves an increase of \$245,000 in the 2003 Budget of the Department of Public Safety, Police Division (City Cumulative Capital Improvement Fund) to use as matching requirements for a Department of Justice Block Grant to purchase police vehicles, financed by fund balances

FISCAL ORDINANCE NO. 57, 2003 - approves an increase of \$250,000 in the 2003 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund) to assist in the critical initial response effort by providing funding and contract requirements to each Metropolitan Medical Response System jurisdiction to purchase the local supplies needed to respond to a weapons of mass destruction event, financed by a federal grant

FISCAL ORDINANCE NO. 62, 2003 - approves a transfer of \$50,000 in the 2003 Budget of the Department of Parks and Recreation (Park General Fund) to cover overtime costs incurred while assisting Department of Public Works in snow removal and pothole repairs during the latest winter season

FISCAL ORDINANCE NO. 63, 2003 - approves a transfer of \$45,000 in the 2003 Budget of the Department of Parks and Recreation (Transportation General Fund) to employ an inspector for street trees in the public right of way

SPECIAL ORDINANCE NO. 4, 2003 - a final resolution for Orchard Park Apartments in an amount not to exceed \$1,600,000 which consists of the acquisition and rehabilitation of the existing 94-unit, apartment complex on an approximately 6.784 acre parcel of real estate located at 3201 North Baltimore (District 11)

SPECIAL RESOLUTION NO. 29, 2003 - commends Coleman Middle School for success in regaining accreditation

SPECIAL RESOLUTION NO. 30, 2003 - commends Coleman Middle School custodial/maintenance staff for success in regaining accreditation

SPECIAL RESOLUTION NO. 31, 2003 - recognizes the Town of Cumberland, Indiana, and its recently retired Town Manager, David Mikkelson

SPECIAL RESOLUTION NO. 32, 2003 - recognizes the public service of William H. Hendley, an early advocate for a Victims of Crime Memorial and state Constitutional amendment

SPECIAL RESOLUTION NO. 33, 2003 - honors Rebuilding Together Indianapolis' annual Community Work Day

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 2003 - approves a transfer of \$8,565 in the 2003 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to purchase an educational robot to further the Survive Alive mission of fire safety education in schools, churches, youth serving agencies, and community events

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 June 2, 2003. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 350, 2003. The proposal, sponsored by Councillors Moriarty Adams, Black, Boyd, Brents, Conley, Douglas, Gibson, Gray, Horseman, Knox, Nytes, Sanders, Short, and Talley, recognizes former Indianapolis Mayor John J. Barton upon his 97th Birthday. Councillor Moriarty Adams read the proposal and presented Mr. Barton with a copy of the document and a Council pin. Councillor Sanders led the Council in singing "Happy Birthday" to Mr. Barton. Mr. Barton thanked the Council for the recognition. President Borst wished Mr. Barton well and said

and said that the Council is honored to have him in attendance this evening. Councillor Moriarty Adams moved, seconded by Councillor Boyd, for adoption. Proposal No. 350, 2003 was adopted by a unanimous voice vote.

Proposal No. 350, 2003 was retitled SPECIAL RESOLUTION NO. 34, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 2003

A SPECIAL RESOLUTION recognizing former Indianapolis Mayor John J. Barton upon his 97<sup>th</sup> Birthday.

WHEREAS, the year 1906 was the best of times: Teddy Roosevelt was in the White House, the Panama Canal was being built, U.S. Steel chose Gary, Indiana, for their huge new steel mill, New York Central bought land in Beech Grove for their train repair shops, and John J. Barton was born; and

WHEREAS, he was a Cathedral High School and Purdue engineering graduate, but jobs were hard to find during the Depression, so he worked for his family business, then joined the state police, where over the years he was promoted to Superintendent of the Indiana State Police, when Governor Matthew Welsh persuaded Mr. Barton to run for Mayor of Indianapolis on a platform of lowering the crime rate; and

WHEREAS, Mayor Barton was very busy after he stepped into the 2-year-old City-County Building to begin his four year term as the top city official from 1964 to 1968; during his term he paved the way for Indiana National Bank to build its new building, helped form the Capital Improvements Board who would go on to construct the Indiana Convention Center, he reformed the Indianapolis Police Department, and received federal money for slum clearance and low income housing; and

WHEREAS, Mayor Barton played golf well into his 90's, served on the State Parole Board into his 80's, loved a good La Fendrich cigar, was known to be forced to participate in a low stakes poker game or two, and to this day still swaps stories every week with his friends of the Old Timers Club; 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 former Mayor John J. Barton, and offers its congratulations to His Honor on today, his 97<sup>th</sup> Birthday.

SECTION 2. Indianapolis is fortunate that forward looking Mayor Barton set the stage for this city's modern revival.

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. 351, 2003. The proposal, sponsored by Councillor Talley, recognizes the commitment and community service of Vera Thompson. Councillor Talley read the proposal and presented Ms. Thompson with a copy of the document and a Council pin. President Borst thanked Ms. Thompson for giving so many hours to make Indianapolis a better community. Ms. Thompson thanked God for opportunities in her life to serve and thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Coughenour, for adoption. Proposal No. 351, 2003 was adopted by a unanimous voice vote.

Proposal No. 351, 2003 was retitled SPECIAL RESOLUTION NO. 35, 2003, and reads as follows:

June 23, 2003

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 2003

A SPECIAL RESOLUTION recognizing the commitment and community service of Vera Thompson.

WHEREAS, *Inasmuch as ye have done it unto one of the least of these my brethern, ye have done it unto me* (St. Matthew 25:40)

WHEREAS, Mrs. Vera Thompson by her action has shown that she believes that these are not just words on a page in a book, but they are words in a book that we should use as a pattern for our lives; and

WHEREAS, Mrs. Thompson volunteers 60-70 hours each week over the past three years serving poor families in our community; and

WHEREAS, from the St. Vincent de Paul Choice Food Pantry on the southeast side of Indianapolis Mrs. Thompson and her team of volunteers make approximately 150 home deliveries, and serves 1,100 families on site at the Food Pantry each week; and

WHEREAS, Mrs. Thompson volunteered for a number of years at the Holy Cross Food Program where her energy, hope and compassion for people was a part of her life that she encourages her staff to share with their clients; 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 Mrs. Vera Thompson, the St. Vincent de Paul Choice Food Pantry and those persons associated with this very worthwhile program in the Indianapolis community.

SECTION 2. The citizens of Indianapolis with limited resources need help as never before; and with volunteers like Mrs. Thompson and her staff we can be sure that many of their needs will be met with compassion and respect. The Indianapolis City-County Council on behalf of the citizens of Indianapolis thanks Vera Thompson, the St. Vincent de Paul Choice Food Pantry and those volunteers associated with this very worthwhile program for the many hours they contribute.

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. 352, 2003. The proposal, sponsored by Councillors Nytes and Cockrum, recognizes Anna S. White upon her retirement as Executive Director of Young Audiences of Indiana, Inc. Councillor Nytes read the proposal and presented Ms. White with a copy of the document and a Council pin. Ms. White thanked the Council for the recognition. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 352, 2003 was adopted by a unanimous voice vote.

Proposal No. 352, 2003 was retitled SPECIAL RESOLUTION NO. 36, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 2003

A SPECIAL RESOLUTION recognizing Anna S. White upon her retirement as Executive Director of Young Audiences of Indiana, Inc.

WHEREAS, Young Audiences of Indiana, Inc. is the oldest and largest provider of professional arts education for children in the state; and

WHEREAS, for the past 27 years the organization has benefited from the leadership of Executive Director Anna S. White who has initiated a number of projects specifically developed to serve culturally at-risk children, including arts day camps this summer at Concord Multi-Service Center, Community Alliance of the Far Eastside, and Martin Luther King Multi-Service Center; and

WHEREAS, Ms. White earned her BA degree at Augustana College, and her MA from the University of Minnesota, and during her more than quarter century with Young Audiences the arts appreciation programs have expanded to include over 50 Central Indiana schools in Arts Partners, after school arts programs, a pre-school partnership with the Day Nursery Association, a summer institute for teachers held at Butler University, along with other innovative programs to expose young people to the beauty and joy of all types of cultural arts; and

WHEREAS, Ms. White is a Trustee of the Indianapolis Museum of Art and serves on several of its committees, she is on the Boards of Public Television WFYI Channel 20 Foundation, the Ensemble Music Society, Indy Jazz Fest, is Vice Chair of the International Violin Competition, and has been a juror of the Arts Indiana Artist Postcard Competition; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the Young Audiences of Indiana, Inc., and its retiring Executive Director Anna S. White.

SECTION 2. The arts add an important dimension to people's lives, and thanks to Young Audiences and leaders like Anna White, our cultural arts will continue to be remembered, created, and appreciated for generations to come.

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

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

PROPOSAL NO. 353, 2003. The proposal, sponsored by Councillors Frick, Bainbridge, Cockrum, Dowden, Langsford, Massie, McWhirter, and Smith, congratulates the Marion County Township Assessors, Treasurer, and Auditor for their prompt action in saving Indianapolis taxpayers \$9-12 million from state government miscalculations. Councillor Frick read the proposal and moved, seconded by Councillor Dowden, for adoption.

Councillor Nytes said that while she is pleased to have an opportunity to commend the Marion County Township Assessors for their efforts over the past couple of years of making sweeping changes in a very timely fashion, she is frustrated that this proposal is very misleading. The work done over the last month to sort out Homestead Property Tax Credits was not done by the County Treasurer or Auditor, but she was told that the only calls to the State on this matter were from assessors and the Controller's Office. She said that it is very misleading to suggest that this initiative was taken by others, and therefore, she cannot support the resolution.

Councillor Talley said that these elected officials were only doing what they were elected and are getting paid to do. The dedicated employees deserve the recognition more, even though the elected officials originally were going to deny these employees a 2% pay increase in the current budget. Only with the help of Councillors Conley, Gibson, Boyd, and Sanders, the money was found to give them the increases they deserve.

Councillor Sanders said that both the Auditor and Treasurer were meeting minimum requirements of their jobs and she does not think a resolution should celebrate meeting minimum requirements. She added that the recognition needs to go to the assessors and their staffs, especially Paul Ricketts, Lawrence Township Assessor, who spear-headed the efforts, and some of the new assessors who were plunged into such a confusing task.

President Borst said that though it may have been a minimum requirement, it resulted in maximum savings to taxpayers. He added that there is no indication that employees will not be receiving the raises they were promised.

Councillor Frick said that he spoke with Councillor Nytes on the phone earlier today, and it was not his intent for this resolution to be a partisan issue. He said that there are both Democrat and Republican assessors here this evening that he wishes to honor. He said that the goal is to recognize the team that spoke with the State in getting \$12 million back for Marion County. He offered to extend that to include the Mayor's Office if they were involved, but he was not told they were. However, if the Mayor's Office was involved in seeking this change of law, he would have no problem in amending the resolution to reflect their efforts, as well. He said that the resolution is simply an attempt to honor these officials who do not vote for the expenditures or make the reassessment rules. However, they are charged with following the rules, and he feels they went above and beyond and became a watchdog for local taxpayers in finding that the State was trying to overcharge Marion County homeowners by almost \$12 million.

President Borst called for a vote on the motion to adopt. He ruled that the "yeas" carried. Councillor Talley moved, seconded by Councillor Horseman, for division. The motion to adopt failed on the following roll call vote; viz:

*14 YEAS: Bainbridge, Borst, Bradford, Coonrod, Coughenour, Dowden, Frick, Langsford, Massie, McWhirter, Schneider, Smith, Soards, Tilford*

*14 NAYS: Black, Boyd, Brents, Conley, Douglas, Gibson, Gray, Horseman, Knox, Moriarty Adams, Nytes, Sanders, Short, Talley*

*1 ABSENT: Cockrum*

Councillor Horseman asked what happens to the proposal since it failed. Robert Elrod, General Counsel, said that the proposal would have needed 15 votes to actually be defeated. Since the proposal was neither adopted nor defeated, it stays on the agenda as unfinished business.

Councillor McWhirter thanked the assessors for coming this evening and apologized that their moment in the spotlight was ruined by this vote. She said that she hopes in spite of this vote that they realize the Council appreciates all their hard work in saving the County \$12 million regardless of who or what was behind the effort.

Councillor Schneider said that this is a very telling moment that each Democrat would vote against a resolution honoring those who have saved taxpayers so much money. He said that he would like to personally thank the assessors for finding this error.

Councillor Boyd thanked those who took a legitimate role in this process and were partially responsible for saving taxpayers this money. He said that for reasons well-articulated by Councillor Nytes and others, he also voted against the proposal. However, he wants to offer his apology for those members of the Council who are responsible for bringing these individuals into an atmosphere without first checking what type of discussion a resolution such as this would bring about. He said this is a political season and these kinds of things are going to be happening the rest of year, but the Council is very serious about the work they do and appreciate the work the assessors have done.

Councillor Horseman said that she is disappointed that there have been personal attacks made, and she apologized to the public. She said that none of this is directed at the assessors, as everyone appreciates what they have done. She said that the frustration is with including names of political candidates without really taking into account real work they have done in this regard.

Councillor Brents said that she formerly worked for the Center Township Assessor's Office and she voted against the proposal because Center Township was not included. Councillor Frick said

that all township assessors were invited to be recognized, and the proposal was not meant to be exclusive. He said that even when an elected official is simply doing their job, they are routinely recognized by this body, such as the Mayor's efforts with "One Book, One City," which is certainly less significant than saving taxpayers \$12 million. He said that he has no problem with bringing in a group of people, no matter what political party they are affiliated with, who do their jobs well and save taxpayers money.

Paul Ricketts, Lawrence Township Assessor, said that it is unfortunate the assessors were caught up in this situation. He asked each of them to introduce themselves and said that they have done an amazing job and deserve recognition. Mr. Ricketts said that all assessors were invited and some could not be here this evening. He said that he feels what has happened this evening is very unfair, as the Treasurer's Office was greatly involved in this process with him. No matter what some Councillors may have said this evening or been told by the State, he knows for a fact that Greg Jordan, County Treasurer, was calling the State and was the one who stopped printing the bills when it became apparent that the State knew there was an error before printing began. He said that this effort by County officials was to help taxpayers avoid paying too much in taxes.

PROPOSAL NO. 354, 2003. The proposal, sponsored by Councillor Cockrum, congratulates the Indianapolis Department of Parks and Recreation for its Agency Accreditation by the National Recreation and Park Association. In Councillor Cockrum's absence, Councillor Massie read the proposal and presented copies of the document and Council pins to representatives. Councillor Massie moved, seconded by Councillor Bainbridge, for adoption.

Councillor Frick said that although this is simply a matter once again of employees doing their job, he supports the proposal.

Proposal No. 354, 2003 was adopted by a unanimous voice vote.

Proposal No. 354, 2003 was retitled SPECIAL RESOLUTION NO. 37, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 2003

A SPECIAL RESOLUTION congratulating the Indianapolis Department of Parks and Recreation for its Agency Accreditation by the National Recreation and Park Association.

WHEREAS, the National Recreation and Park Association established the Commission for Accreditation of Park and Recreation Agencies in 1993 to implement and administer the accreditation program, which appraises the efficiency and effectiveness of park agency operations; and

WHEREAS, each agency is evaluated on 156 standards covering all areas of services and facilities, of which 154 standards were met by DPR including eight that were substantially exceeded; and

WHEREAS, Agency Accreditation signifies outstanding achievement and national ranking for excellence in park and recreation operations; and

WHEREAS, the process of accreditation is extensive and took several years to complete, and included a self-assessment and site visit by an evaluation team of parks and recreation professionals from Illinois, New Jersey, Tennessee, and Utah; and

WHEREAS, Director, Joseph Wynns and Senior Project Manager Lori Gil accepted the formal Agency Accreditation on behalf of the Department on February 28, 2003, in Washington, D.C.; and

WHEREAS, The Indianapolis Department of Parks and Recreation is one of only 39 accredited agencies to date throughout the United States; now, therefore:



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

SECTION 1. The Indianapolis City-County Council congratulates the Indianapolis Department of Parks and Recreation for earning the professional honor of being a nationally accredited agency.

SECTION 2. The quality of life for citizens of Indianapolis and Marion County is made more attractive by the park, recreation, and leisure services of the Indianapolis Department of Parks and Recreation, its Board, Director Joseph Wynns, staff, volunteers, and their many partnership alliances.

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. 355, 2003. The proposal, sponsored by Councillors Horseman, Conley, Gibson, Sanders, and Boyd, recognizes the June 20-29 Indy 2003 African Unity Festival & Cultural Tourism. Councillor Horseman read the proposal and presented Bob Osley, chairman of the event, with a copy of the document and a Council pin. Mr. Osley thanked the Council for the recognition and invited them to attend the festival. Councillor Horseman moved, seconded by Councillor Gibson, for adoption. Proposal No. 355, 2003 was adopted by a unanimous voice vote.

Proposal No. 355, 2003 was retitled SPECIAL RESOLUTION NO. 388, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 2003

A SPECIAL RESOLUTION recognizing the June 20-29 Indy 2003 African Unity Festival & Cultural Tourism.

WHEREAS, for ten days in June, African Community International, Inc. has packaged an exciting event that fulfills its Mission of providing services that support Africans and enhance their active participation and connection in American society and in their homeland; and

WHEREAS, activities scheduled for Indy 2003 African Unity Festival & Cultural Tourism include a movie about Senegal, soccer exhibition games at the Mapleton-Fall Creek Neighborhood, Rededication of the Crispus Attucks Museum, a health outreach in the Crooked Creek neighborhood, a creative art workshop and exhibition at the Christamore House, a Citizen Cajun Carnival at the King Kennedy Community Outreach Center, education about using DNA to trace African roots, an international concert of African talent and bands, marketplaces, ethnic exhibitions and performances, and others; and

WHEREAS, the Festival is intended to entertain, inspire, challenge and enrich the lives of the people and help expand world views; 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 African Community International, Inc. and the Indy 2003 African Unity Festival & Cultural Tourism.

SECTION 2. The Council notes the 2003 sponsors: WTHR-TV, Federal Home Loan Bank of Indianapolis, Indianapolis-Marion County Public Library, Club Zambezi Afrikan Bar & Grill, NHBW-Indy, Citizens MSC, IPS Crispus Attucks Museum, Freetown Village, Arts Council of Indianapolis, and National City Bank.

SECTION 3. The Council wishes the organization and festival the best of success, and all participants an enjoyable, informational, and meaningful experience.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

President Borst stated that Proposal Nos. 286, 288, 289, and 308, 2003 are all board appointments which passed out of their respective committees with unanimous recommendations that they do pass. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 286, 2003. The proposal, sponsored by Councillor Coughenour, reappoints Robert Thomas Burns to the Indianapolis-Marion County Building Authority Board of Trustees. PROPOSAL NO. 288, 2003. The proposal, sponsored by Councillor Soards, appoints Sarah Taylor to the Indianapolis-Marion County Public Library Board. PROPOSAL NO. 289, 2003. The proposal, sponsored by Councillor Soards, appoints Danny M. Crenshaw to the Indianapolis Public Transportation Corporation. PROPOSAL NO. 308, 2003. The proposal, sponsored by Councillor Coughenour, reappoints R. Bruce Wallace to the Air Pollution Control Board. Councillor Coughenour moved, seconded by Councillor Soards, for adoption. Proposal Nos. 286, 288, 289, and 308, 2003 were adopted by a unanimous voice vote.

Proposal No. 286, 2003 was retitled COUNCIL RESOLUTION NO. 78, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2003

A COUNCIL RESOLUTION reappointing Robert Thomas Burns to the Indianapolis-Marion County Building Authority Board of Trustees.

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

SECTION 1. As a member of the Indianapolis-Marion County Building Authority Board of Trustees, the Council reappoints:

Robert Thomas Burns

SECTION 2. The appointment made by this resolution is for a term ending June 3, 2007. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 288, 2003 was retitled COUNCIL RESOLUTION NO. 79, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2003

A COUNCIL RESOLUTION appointing Sarah Taylor to the Indianapolis-Marion County Public Library Board.

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

SECTION 1. As a member of the Indianapolis-Marion County Public Library Board, the Council appoints:

Sarah Taylor

SECTION 2. The appointment made by this resolution is for a term ending April 16, 2007. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 289, 2003 was retitled COUNCIL RESOLUTION NO. 80, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 2003

A COUNCIL RESOLUTION appointing Danny M. Crenshaw to the Indianapolis Public Transportation Corporation.

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

SECTION 1. As a member of the Indianapolis Public Transportation Corporation, the Council reappoints:

Danny M. Crenshaw

SECTION 2. The appointment made by this resolution is for a term ending August 6, 2007. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 308, 2003 was retitled COUNCIL RESOLUTION NO. 81, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 81, 2003

A COUNCIL RESOLUTION reappointing R. Bruce Wallace to the Air Pollution Control Board.

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

SECTION 1. As a member of the Air Pollution Control Board, the Council reappoints:

R. Bruce Wallace

SECTION 2. The appointment made by this resolution is for a term ending June 3, 2007. 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. 324, 2003. Introduced by Councillors Dowden, Moriarty Adams, and Talley. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 1,584 square feet of office space at 4150 North Keystone Avenue for the Indianapolis Police Department"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 325, 2003. Introduced by Councillors McWhirter and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$700,000 in the 2003 Budget of the Office of the City Controller (Landmark Building Preservation Fund) to fund repairs to electrical, lighting, flooring, and window systems at the City Market, and to repair elevators and remodel the lobby at the Indiana Repertory Theater, financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 326, 2003. Introduced by Councillors McWhirter and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$195,000 in the 2003 Budget of the Cable Communications Agency (Consolidated County Fund) to purchase servers and editing equipment to be used by WCTY/Channel 16, financed by a cable

franchise PEG (Public Educational or Government Access Facilities) grant"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 327, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$400,000 in the 2003 Budget of the Department of Parks and Recreation (Park General Fund) to construct the driving range, practice area, and three-hole short course for the Indianapolis First Tee Junior Golf Facility, as well as test and remove contaminated soil from the Whispering Hills, Pleasant Run and Sara Shank golf courses, financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 328, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$6,063 in the 2003 Budget of the County Prosecutor and the County Auditor (State and Federal Grants Fund) to transfer surplus funds in salaries to cover deficit in fringes in the Victim Assistance Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 329, 2003. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$7,223 in the 2003 Budget of the Marion Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the Teen Court Program, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 330, 2003. Introduced by Councillors Smith and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 2003 Budgets of the Marion Superior Court and the County Auditor (State and Federal Grants Fund) to provide funds for the continuation of the Indiana Fathers & Families projects, funded by a state grant (Indiana Family & Social Services Administration)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 331, 2003. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2003 Budget of the Marion Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate the Guardian Ad Litem/Court Appointed Special Advocate grant for children at risk"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 332, 2003. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$2,814 in the 2003 Budgets of the Marion Superior Court and the County Auditor (State and Federal Grants Fund) to transfer surplus fringes to personal services in the Adult Drug Treatment Court Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 333, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$749,927 in the 2003 Budgets of Community Corrections and the County Auditor (Home Detention User Fee Fund) to fund personnel, home detention equipment, and supplies for the first six months of fiscal year 2003-2004, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 334, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,935,128 in the

2003 Budget of Community Corrections and the County Auditor (State and Federal Grants Fund) to appropriate the annual Department of Corrections Grant for fiscal year 2003-2004"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 335, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$218,070 in the 2003 Budgets of Community Corrections and the County Auditor (State and Federal Grants Fund) to fund a Juvenile Court Intensive Probation Services Program for fiscal year 2003-2004, funded by a state grant (Department of Correction)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 336, 2003. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates a new nonreverting fund to be known as the Community Court Operations Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 337, 2003. Introduced by Councillors Bainbridge and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which allows household hazardous waste generated in Johnson County to be collected and disposed of by the City's Tox Drop Program in exchange for a fee paid by Johnson County"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 338, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Furman Avenue and Lockerbie Drive (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 339, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which authorizes a multi-way stop at 13th Street and Glen Arm Road (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 340, 2003. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Orange Street and Spruce Street (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 341, 2003. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Minnesota Street and Orleans Street (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 342, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Pinecreek Drive and Ridgecreek Drive (District 4)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 343, 2003. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes an increase in the speed limit from 35 mph to 40 mph for Decatur Boulevard from Ameriplex Parkway to Kollman Road (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 344, 2003. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way restriction on 10th Street from Delaware Street to Alabama Street (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 345, 2003. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Lexington Avenue from Virginia Avenue to Park Avenue (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 346, 2003. Introduced by Councillors Brents and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Muskingum Street from Walnut Street to 10th Street (Districts 16, 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 347, 2003. Introduced by Councillors Boyd and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Manor Court from 36th Street to the Dead End (Districts 11, 14)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 348, 2003. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes special parking restrictions on College Avenue near 42nd Street (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 349, 2003. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which suspends incentive pay programs for the balance of the 2003 calendar year"; and the President referred it to the Committee of the Whole Council.

PROPOSAL NO. 378, 2003. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 151-25 of the Revised Code concerning the standing committees"; and the President referred it to the Committee of the Whole Council.

PROPOSAL NO. 379, 2003. Introduced by Councillors Borst, Boyd, Frick, and Talley. The Clerk read the proposal entitled: "A Proposal for a General Resolution which voting in favor of a proposal to increase the County Homestead Credit"; and the President referred it to the Committee of the Whole Council.

President Borst stated that each Councillor should have received a special meeting notice for Monday, June 30, 2003, where the Council will hear Proposal Nos. 349, 378, and 379, 2003.

Councillor Boyd said that in caucus all of the Democrat Councillors asked to be included as co-sponsors of Proposal No. 379, 2003. President Borst asked if there are others that wish to be included. All Councillors in attendance agreed to be included as co-sponsors. President Borst asked the clerk to check with Councillor Cockrum to ask if he also would like to be included, since he is the only one absent this evening.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 357, 2003, PROPOSAL NO. 358, 2003, PROPOSAL NO. 359, 2003, PROPOSAL NOS. 360-372, 2003, PROPOSAL NO. 373, 2003, and PROPOSAL NOS. 374-377, 2003. Introduced by Councillor Langsford. Proposal No. 357, 2003, Proposal No. 358, 2003, Proposal No. 359, 2003, Proposal Nos. 360-372, 2003, Proposal No. 373, 2003, and Proposal Nos. 374-377, 2003 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 4, 9, 11, and 13, 2003. 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. 70-90, 2003, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 70, 2003.

2003-ZON-028

2150 and 2200 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

JESUS THE MESSIAH CHURCH, by David Kingen, requests a rezoning of 5.239 acres, being in the D-A and D-7 Districts, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 71, 2003.

2002-ZON-176

358 EAST TROY AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 20

MICHAEL PATTERSON, by A. Douglas Stephens, requests a rezoning of 0.30 acre, being in the D-5 District, to the C-5 classification to provide for commercial uses.

REZONING ORDINANCE NO. 72, 2003.

2001-ZON-864 (2003-DP-004) (Amended)

8130 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2

MANN PROPERTIES, INC. by Stephen D. Mears, requests a rezoning of 39.5 acres, from the D-A (FW)(FF) and D-1 (FW)(FF) Districts, to the D-P (FW)(FF) classification to provide for single-family residential development, with detached and attached units.

REZONING ORDINANCE NO. 73, 2003.

2003-ZON-029

7702 and 7740 SOUTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.,

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #23

SISTERS OF SAINT FRANCIS HEALTH SERVICES, INCORPORATED, by J. Lee Robbins, requests a rezoning of 42 acres, being in the I-2-S District, to the SU-7 classification to provide for a youth soccer facility.

REZONING ORDINANCE NO. 74, 2003.

2003-ZON-030

7960 and 8000 WEST WASHINGTON (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

STEVEN G. GUMMER, by Michael J. Kias, request a rezoning of 1.85 acres, being in the D-A District, to the C-5 classification to provide for commercial uses.

REZONING ORDINANCE NO. 75, 2003.

2003-ZON-037

10210 EAST 63<sup>rd</sup> STREET (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #5

PAUL R. MALLOY requests a rezoning of 4.67 acres, being in the D-A District, to the D-2 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 76, 2003.

2003-ZON-040

7200 and 7300 LANTERN ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #4

CHURCH OF THE NATIVITY requests a rezoning of 4.747 acres, being in the D-S (W-5) and SU-1 (W-5) Districts, to the SU-1 (W-5) classification to provide for the expansion of religious uses.

REZONING ORDINANCE NO. 77, 2003.

2003-ZON-041

1951 WEST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

PERRY TOWNSHIP OF MARION COUNTY, INDIANA requests a rezoning of 2.02 acres, being in the C-S (FF)(FW) (W-1) District, to the SU-9 (FF)(FW) (W-1) classification to provide for a fire station.

REZONING ORDINANCE NO. 78, 2003.

2003-ZON-044

8091 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #18

DONNA WHITE requests a rezoning of 1.76 acres, being in the D-A Districts, to the C-4 classification to legally establish a dance school and to provide for an accessory structure.

REZONING ORDINANCE NO. 79, 2003.

2003-ZON-045

2944, 2946 and 2948 and 2950 NORTH KEYSTONE AVENUE, and 2952 BROUSE STREET, and 2311 and 2345 30<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10

ROBERT J. LAFFIN, JUNIOR, by David Kingen, requests a rezoning of 0.87 acres, being in the D-5 and C-3 Districts to the C-3 classification to provide for retail uses.

REZONING ORDINANCE NO. 80, 2003.

2003-ZON-046

1334 WADE STREET and 1329 and 1335 KELLY STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

BOARD OF SCHOOL COMMISSIONERS, CITY OF INDIANAPOLIS., by David Kingen, requests a rezoning of 0.40 acre, being in the D-5 District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 81, 2003.

2003-ZON-049

3158 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24

HUNTINGTON PREFERRED CAPITAL HOLDINGS, INCORPORATED, by Peter D. Cleveland, requests a rezoning of 0.59 acre, being in the D-2 and C-3 Districts, to the C-3 classification to legally establish a bank with a drive-through.

REZONING ORDINANCE NO. 82, 2003.

2003-ZON-051

4230 ENGLISH AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15

BOARD OF SCHOOL COMMISSIONERS, INDIANAPOLIS., by David Kingen, requests a rezoning of 3.1 acres, being in the D-5 District, to the SU-2 classification to legally establish educational uses.



REZONING ORDINANCE NO. 83, 2003.

2003-ZON-053

615 VIRGINIA AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #16

VIRGINIA AVENUE MANAGEMENT requests a rezoning of 0.073 acre, being in the D-8 (RC) District, to the CBD-2 (RC) classification to provide for commercial uses.

REZONING ORDINANCE NO. 84, 2003.

2003-ZON-054

4326 STOP 11 ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24

SICILIA, INCORPORATED, by David Gilman, requests a rezoning of 21.48 acres, being in the D-A District, to the D-5II classification to provide for residential development.

REZONING ORDINANCE NO. 85, 2003.

2003-ZON-059 (2003-DP-007)

2825 EAST RAYMOND STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #21

INDIANAPOLIS. HOUSING AUTHORITY requests a rezoning of 26 acres, being in the D-6II and D-7 Districts, to the D-P classification to provide for 214 units at a density of 8.2 units per acre.

REZONING ORDINANCE NO. 86, 2003.

2003-ZON-050

5050 EAST 42<sup>ND</sup> STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #14

BOARD OF SCHOOL COMMISSIONERS, CITY OF INDIANAPOLIS., by David Kingen, requests a rezoning of 10.49 acres, being in the D-5 District, to the SU-2 classification to legally establish educational uses.

REZONING ORDINANCE NO. 87, 2003.

2003-ZON-009

942 FORT WAYNE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

STEVE NOWLIN, by Neighborhood/Downtown Zoning Assistance, requests a rezoning of 0.1 acre, being in the C-4 District, to the CBD-2 classification to legally establish existing use.

REZONING ORDINANCE NO. 88, 2003.

2003-ZON-043

916 N PARK AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

DAVID OGLE, requests a rezoning of 0.4 acre, being in the D-10 District, to the D-8 classification.

REZONING ORDINANCE NO. 89, 2003.

2003-ZON-052

846 DR. MARTIN LUTHER KING, JR. STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

JAMES WIGGINS, requests a rezoning of 0.4 acre, being in the I-3-U District, to the D-8 classification.

REZONING ORDINANCE NO. 90, 2003.

2003-ZON-068

1539 N. COLLEGE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22

STEPHEN SUDLER, requests a rezoning of .25 acre from C-3 to D-8 to provide for the construction of a single-family residence.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 271, 2003. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 271, 2003 on May 20, 2003. The proposal was postponed by the Council in order to allow for advertising. The proposal, sponsored by Councillor McWhirter, creates the Capital Lease Fund as a nonreverting fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:21 p.m. There being no one present to testify, Councillor McWhirter moved, seconded by Councillor Tilford, for adoption. Proposal No. 271, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 271, 2003 was retitled GENERAL ORDINANCE NO. 45, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 2003

A GENERAL ORDINANCE amending the Revised Code of Indianapolis and Marion County, Indiana by amending Article II of Chapter 135.

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

SECTION 1. Division 1, Article II, Chapter 135 of the Revised Code of Indianapolis and Marion County is hereby amended by inserting a new Sec. 135-214 to read as follows:

ARTICLE II. NONREVERTING COUNTY FUNDS

DIVISION 1. DISCRETIONARY FUNDS

**Sec. 135-214. Capital Lease Fund.**

(a) There is hereby created a "capital lease fund" for the purpose of funding the capital lease obligations of county offices. The fund shall be administered by the county auditor. The fund shall consist of all taxes and miscellaneous revenue allocated to the capital lease fund.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year. Such balances shall not lapse into the county general fund or ever be directly or indirectly diverted in any manner for uses other than those stated in this section.

(c) Amounts shall be paid from such fund only pursuant to appropriations authorized by the city-county council.

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

PROPOSAL NO. 287, 2003. Councillor Bradford reported that the Community Affairs Committee heard Proposal No. 287, 2003 on June 17, 2003. The proposal, sponsored by Councillor Bradford, approves an increase of \$10,595 in the 2003 Budgets of the County Auditor and the Cooperative Extension Service (County Grants Fund) to fund summer camp programs, funded by grants from The Lilly Foundation, The Journey, and the Indianapolis Foundation. 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 8:23 p.m. There being no one present to testify, Councillor Bradford moved, seconded by Councillor Conley, for adoption. Proposal No. 287, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 287, 2003 was retitled FISCAL ORDINANCE NO. 64, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 96, 2002) appropriating an additional Ten Thousand Five Hundred Ninety-five Dollars (\$10,595) in the County Grants Fund for purposes of the County Auditor and the Cooperative Extension Agency and reducing the unappropriated and unencumbered balance in the County 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 (m) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Cooperative Extension Agency to fund the costs of summer camp programs,

SECTION 2. The sum of Ten Thousand Five Hundred Ninety-five Dollars (\$10,595) 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>COUNTY GRANTS FUND</u>
1. Personal Services-fringes	387
 <u>COOPERATIVE EXTENSION AGENCY</u>	
1. Personal Services	5,520
2. Supplies	2,290
3. Other Services and Charges	<u>2,398</u>
TOTAL INCREASE	10,595

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>10,595</u>
TOTAL REDUCTION	10,595

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.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 290, 294-296, and 301-303, 2003 on June 4, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 290, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$57,300 in the 2003 Budgets of the County Prosecutor and the County Auditor (State and Federal Grants Fund) to provide continued funding for a deputy prosecutor and part time investigator/victim advocate for the Regional Gang Interdiction Program, funded by a state grant (Byrne Memorial Funds awarded through Indiana Criminal Justice Institute). PROPOSAL NO. 294, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$317,665 in the 2003 Budget of the Metropolitan Emergency Communication Agency (MECA/County Emergency Telephone System Fund) to fund an additional four 911 answering positions in the Indianapolis Marion County Control Room and to fund upgrades and modifications to the dispatch center, financed by fund balances. PROPOSAL NO. 295, 2003. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves an increase of \$13,000 in the 2003 Budget of the County Sheriff (State and Federal Grants Fund) to pay overtime for one officer to work with ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) associated with the Indianapolis Violence Reduction Project, funded by the Department of the Treasury (Bureau of Alcohol, Tobacco, and Firearms and Explosives). PROPOSAL NO. 296, 2003. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves an increase of \$9,801 in the 2003 Budget of the County Sheriff (State and Federal Grants Fund) for a one-time reimbursement for one officer assigned to the Drug Enforcement Administration, funded by a grant from the U.S. Department of Justice (Drug Enforcement Administration). PROPOSAL NO. 301, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$92,712 in the 2003 Budget of Community Corrections (State and Federal Grants Fund) to fund a substance abuse treatment program, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 302, 2003. The proposal, sponsored by Councillors Dowden and Frick, approves an increase of \$25,410 in the 2003 Budget of Community Corrections (Home Detention User Fee Fund) to cover the increase in the equipment lease due to the increase volume in home detention capacity, financed by fund balances. PROPOSAL NO. 303, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$28,000 in the 2003 Budget of Community Corrections (Home Detention User Fee Fund) to assist with the funding of a Forensic Mental Health Coordinator position, financed by fund balances. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Coughenour asked why the position in Proposal No. 303, 2003 is not funding through the Forensics Services Agency. Councillor Dowden said that the Forensic Mental Health Coordinator position is probably a misnomer, and the position will serve in the area of Community Corrections.

President Borst called for public testimony at 8:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 290, 294-296, and 301-303, 2003 were adopted on the following roll call vote; viz:

*25 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Conley, Coughenour, Douglas, Dowden, Frick, Gibson, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, Short, Smith, Soards, Talley, Tilford*

*0 NAYS:*

*3 NOT VOTING: Coonrod, Gray, Horseman*

*1 ABSENT: Cockrum*

Proposal No. 290, 2003 was retitled FISCAL ORDINANCE NO. 65, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97 2002) appropriating an additional Fifty-seven Thousand Three Hundred Dollars (\$57,300) in the State and Federal Grants Fund for purposes of the County Prosecutor and County Auditor 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 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Prosecutor and County Auditor to provide funding for a deputy prosecutor and part time investigator/victim advocate for the joint project, Regional Gang Interdiction Program.

SECTION 2. The sum of Fifty-seven Thousand Three Hundred Dollars (\$57,300) 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	7,300
 <u>COUNTY PROSECUTOR</u>	
1. Personal Services	<u>50,000</u>
TOTAL INCREASE	57,300

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>57,300</u>
TOTAL REDUCTION	57,300

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. 294, 2003 was retitled FISCAL ORDINANCE NO. 66, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 92, 2002) appropriating an additional Three Hundred Seventeen Thousand Six Hundred Sixty-five Dollars (\$317,665) in the MECA/County Emergency Telephone System Fund for purposes of the Metropolitan Emergency Communication Agency (MECA) and reducing the unappropriated and unencumbered balance in the MECA/County Emergency Telephone System 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 of the MECA Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of MECA to fund an additional four 911 answering positions in the Indianapolis Marion County Control Room and to fund upgrades and modifications in the dispatch center.

SECTION 2. The sum of Three Hundred Seventeen Thousand Six hundred Sixty-five Dollars (\$317,665) 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>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u>	<u>MECA/COUNTY EMERGENCY TELEPHONE SYSTEM FUND</u>
3. Other Services and Charges	<u>317,665</u>
TOTAL INCREASE	317,665

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

	<u>MECA/COUNTY EMERGENCY TELEPHONE SYSTEM FUND</u>
Unappropriated and Unencumbered	
MECA/County Emergency Telephone System Fund	<u>317,665</u>
TOTAL REDUCTION	317,665

SECTION 5. The projected December 31, 2003, fund balance for the MECA/County Emergency Telephone System Fund is as follows:

Current cash balance (December 31, 2002)	2,838,683
Anticipated additional revenue through December 31, 2003	<u>1,150,000</u>
Projected funds available	3,988,683
Remaining appropriations and encumbrances	1,041,148
Proposed additional appropriation (Proposal No. 294, 2003)	<u>317,665</u>
Funds required	1,358,813
Projected fund balance December 31, 2003	2,629,870

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

Proposal No. 295, 2003 was retitled FISCAL ORDINANCE NO. 67, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97 2002) appropriating an additional Thirteen Thousand Dollars (\$13,000) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay overtime for one officer to work with ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) associated with the Indianapolis Violence Reduction Project Task Force.

SECTION 2. The sum of additional Thirteen Thousand Dollars (\$13,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>13,000</u>
TOTAL INCREASE	13,000

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>13,000</u>
TOTAL REDUCTION	13,000

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

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

Proposal No. 296, 2003 was retitled FISCAL ORDINANCE NO. 68, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Nine Thousand Eight Hundred One Dollars (\$9,801) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to receive a one time reimbursement for one officer assigned to the Drug Enforcement Administration.

SECTION 2. The sum of an additional Nine Thousand Eight Hundred One Dollars (\$9,801) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>9,801</u>
TOTAL INCREASE	9,801

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>9,801</u>
TOTAL REDUCTION	9,801

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. 301, 2003 was retitled FISCAL ORDINANCE NO. 69, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Ninety-two Thousand Seven Hundred Twelve Dollars. (\$92,712) in the State and Federal Grants Fund for purposes of Community Corrections 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(g) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund a substance abuse treatment program.

SECTION 2. The sum of Ninety-two Thousand Seven Hundred Twelve Dollars. (\$92,712) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	4,636
3. Other Services and Charges	88,076
TOTAL INCREASE	92,712

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	92,712
TOTAL REDUCTION	92,712

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. 302, 2003 was retitled FISCAL ORDINANCE NO. 70, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Twenty-five Thousand Four Hundred Ten Dollars. (\$25,410) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(g) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to cover the increase in equipment lease, due to the increase in home detention capacity.

SECTION 2. The sum of Twenty-five Thousand Four Hundred Ten Dollars. (\$25,410) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.



SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
2. Supplies	4,000
3. Other Services and Charges	<u>21,410</u>
TOTAL INCREASE	25,410

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>25,410</u>
TOTAL REDUCTION	25,410

SECTION 5. The projected December 31, 2003, fund balance for the Home Detention User Fee Fund is as follows:

Current cash balance (December 31, 2002)	569,936
Anticipated additional revenue through December 31, 2003	<u>1,060,000</u>
Projected funds available	1,629,936
Remaining appropriations and encumbrances	817,412
Proposed additional appropriations	
Proposal No. 302, 2003	25,410
Proposal No. 303, 2003	<u>28,000</u>
Funds required	870,822
Projected fund balance December 31, 2003	759,424

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

Proposal No. 303, 2003 was retitled FISCAL ORDINANCE NO. 71, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Twenty-eight Thousand Dollars (\$28,000) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(g) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to assist with the funding of a Forensic Mental Health Coordinator position.

SECTION 2. The sum of Twenty-eight Thousand Dollars (\$28,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
3. Other Services and Charges	<u>28,000</u>
TOTAL INCREASE	28,000

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>28,000</u>
TOTAL REDUCTION	28,000

SECTION 5. The projected December 31, 2003, fund balance for the Home Detention User Fee Fund is as follows:

Current cash balance (December 31, 2002)	569,936
Anticipated additional revenue through December 31, 2003	<u>1,060,000</u>
Projected funds available	1,629,936
Remaining appropriations and encumbrances	817,412
Proposed additional appropriations	
Proposal No. 302, 2003	25,410
Proposal No. 303, 2003	<u>28,000</u>
Funds required	870,822
Projected fund balance December 31, 2003	759,424

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. 272, 2003. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 272, 2003 on May 14 and June 4, 2003. The proposal, sponsored by Councillors Borst, Dowden, Boyd, Soards, Moriarty Adams, and Frick, establishes a Marion County Criminal Justice Planning Council. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President Borst passed the gavel to Vice-President Coughenour and made the following motion:

Mr. President:

I move to amend Proposal No. 272, 2003, as amended in Committee, as follows:

- (1) In clause (d) of Sec. 283-211, delete the words "President of the City-County Council";
- (2) In subsection 283-222(a), insert a clause (9) as follows: "(9) The President of the City-County Council";
- (3) In clause (1) of subsection 283-222(b), delete the words "President of the City-County Council" and renumber clauses (2) and (3) as clauses (1) and (2)";
- (4) In subsection (c) of Sec. 283-222 add new clauses (16) and (17), as follows:
  - "(16) a member of the Indianapolis or Marion County Bar Association appointed by the mayor,
  - (17) an expert in criminal justice from the Indiana University School of Law appointed by the prosecutor."
- (5) In subsection 283-226(c), the second sentence, delete the words "a quorum of CJPC" and insert in lieu thereof the words "four voting members."

Councillor Dowden seconded the motion.

Councillor Nytes said that an earlier version of the amendment was also provided and she asked why a second draft of the amendment was needed and what is different. Councillor Borst said that this second draft of the amendment would eliminate the proxy and would change that both the chairman of the committee and president of the Council are included. He said this change was made to keep peace and move forward.

Councillor Horseman said that she agrees with the elimination of the proxy, but has a problem with including both the chairman and president, as this makes it very lopsided towards one party. She said that things will probably change in November, but she has a problem with there being such a one-sided board. She added that there is no representation of residents of the jail on the board, and she believes they have a right to be represented. She added that another correction, changing the number of voting members in Sec. 283-222(a) is needed. Councillor Borst said that he accepts the change to nine voting members as a technical amendment to his motion.

Councillor Conley asked what Councillor voted against this proposal in committee. Councillor Talley said that he voted in opposition.

The motion to amend Proposal No. 272, 2003 carried by a unanimous voice vote. Vice-President Coughenour returned the gavel to President Borst.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 272, 2003, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 272, 2003, as amended, was retitled GENERAL ORDINANCE NO. 46, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 2003

WHEREAS the Marion County Justice Agency Board (MCJA) has, since its creation by ordinance in 1975, existed "to determine the needs and identify the problems of their particular officers and agencies and to suggest answers and help find solutions to these needs and problems" (Sec. 283-224); and

WHEREAS the MCJA Board has fulfilled that responsibility insofar as meeting the additional duties and responsibilities set forth in Sec. 283-225; and

WHEREAS Indianapolis and Marion County continue to face new and unprecedented challenges in funding and maintaining a law enforcement and criminal justice system that adequately protects public safety and the rights of victims and the accused; and

WHEREAS a broader multi-agency cooperative approach is necessary to meet the continuing challenge of jail crowding and other countywide resource issues within law enforcement and the criminal justice system; and

WHEREAS the responsibility for the administration of criminal justice within Marion County comes directly under the purview of specific elected officials and appointed officials who should lead these collaborative efforts; and

WHEREAS the elected officials who are directly accountable to the citizens of Marion County and who are charged with the above described responsibilities are the Prosecutor, Sheriff, Mayor, Clerk, Auditor, Marion County Presiding Judge, Chairman of the City-County Council Public Safety Committee and Minority Leader of the City-County Council; and

WHEREAS the officials who are central to the above described responsibilities are the President of the City-County Council, Chief Public Defender and the Public Safety Director for the City of Indianapolis who will serve as non-voting members of the executive committee of the CJPC; now, therefore:

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

SECTION 1. Article II of Chapter 283, of the "Revised Code of the Consolidated City and County" be, and is hereby, repealed.

SECTION 2. A new Article II of Chapter 283, of the "Revised Code of the Consolidated City and County" be, and is hereby, adopted, to read as follows:

**ARTICLE II. MARION COUNTY CRIMINAL JUSTICE PLANNING COUNCIL**

**DIVISION 1. GENERALLY**

**Sec. 283-211. Definitions.**

As used in this article, the following terms shall have the meanings ascribed to them:

- (a) *CJPC* means the Marion County Criminal Justice Planning Council.
- (b) *Director* means the director of the Marion County Justice Agency or its successor.
- (c) *MCJA* means the Marion County Justice Agency.
- (d) *Executive Committee* means the voting members plus the Chief Public Defender and the Director of Public Safety.
- (e) *Participant agencies* include the Marion County Sheriff's Department, Indianapolis Police Department, Marion County Prosecutor, Public Defender, Community Corrections, Indianapolis Marion County Forensic Services Agency (Crime Lab) and Marion County Clerk.
- (f) *Courts* includes the Circuit and Superior Courts of Marion County.

**DIVISION 2. COUNCIL**

**Sec. 283-221. Established; appointment and qualifications of Chairman.**

There is hereby established the Marion County Criminal Justice Planning Council, hereinafter designated as the CJPC. The voting members of the Executive Committee shall elect the chairman of the CJPC, who shall be one of the Executive Committee's voting members. The voting members of the Executive Committee shall initially elect one of its voting members as its Chairman and shall hold an election each year at its January meeting to elect the Chairman for the next twelve (12) month period.

**Sec. 283-222. Council membership.**

The Council shall be composed of the following members:

- (a) Nine Voting Members of the Executive Committee:
  - (1) The Marion County Sheriff;
  - (2) The Marion County Auditor;
  - (3) The Marion County Prosecutor;
  - (4) The Presiding Judge of the Marion Superior Court;
  - (5) The Marion County Clerk;
  - (6) The Mayor of the City of Indianapolis;
  - (7) The Chairman of the City-County Council Public Safety Committee
  - (8) A member of Indianapolis - Marion County City-County Council appointed by its Minority Leader.
  - (9) The President of the City-County Council
- (b) Three Non-Voting Members of the Executive Committee:

- (1) The Chief Public Defender; and
- (2) The Public Safety Director.
- (c) Fifteen Advisory Members:
  - (1) The Chief of the Indianapolis Police Department;
  - (2) The Director of Marion County Community Corrections;
  - (3) The Chief of Marion County Probation;
  - (4) The Director of the Indianapolis/Marion County Forensic Services Agency (i.e., "Crime Lab");
  - (5) Marion County Superior Court Juvenile Judge;
  - (6) The Chief of Police of the Beech Grove Police Department;
  - (7) The Chief of Police of the Lawrence Police Department;
  - (8) The Chief of Police of the Speedway Police Department;
  - (9) The Chief of Police of the Southport Police Department;
  - (10) A representative of the Indiana State Police Department to be designated by its Superintendent;
  - (11) The Chairman of the Information Technology Board;
  - (12) A representative from the Indiana Department of Correction to be designated by its Director;
  - (13) A representative from the City-County Building Authority;
  - (14) The director of the Metropolitan Emergency Communications Agency (MECA);
  - (15) The Judge serving as chairman of the Criminal Divisions of the Marion County Superior Courts;
  - (16) A member of the Indianapolis or Marion County Bar Association appointed by the mayor;
  - (17) An expert in criminal justice from the Indiana University School of Law appointed by the prosecutor.

(d) Advisory Members of the CJPC shall participate in the discussions of the CJPC. Advisory Members do not have a vote on matters before the CJPC, nor have authority to make motions, calls for votes or otherwise affect the proceedings of the CJPC.

**Sec. 283-224. Mission generally.**

It shall be the mission of the CJPC to identify the needs and problems of their particular offices, agencies and courts to suggest answers and help find solutions to those needs and problems. It shall be the mission of the CJPC to study, forecast and make recommendations to the full council regarding both short-term and long-term needs of law enforcement and the criminal justice system. The CJPC shall provide the City-County Council with relevant annual financial needs information prior to and during the annual budget process.

**Sec. 283-225. Additional goals.**

The CJPC shall be charged with the following duties and goals which may or may not be delegated to MCJA Director or other relevant agencies within Marion County.

- (1) To confer with the appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving the criminal justice system in Marion County.
- (2) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the MCJA and the CJPC, including adequate staff to conduct research in support of the CJPC's activities.

- (3) To advise law enforcement and the justice agencies on improved policies in an effort to improve the Marion County criminal justice system.
- (4) To assist in determining the means of financing any justice related information services.
- (5) To assist in the coordination of the participant agencies' and courts' common data base justice information system and to manage and approve all expenditures necessary to maintain those portions of any existing or future common data base justice information system whose supervision is delegated to the CJPC, subject to Sec. 281-212.
- (6) To coordinate studies and evaluations of any and all information needs and current operating systems in the participant agencies and courts with the Information Technology Board in accordance with Sec. 281-212.
- (7) To contract for technical and specialized assistance in administering the goals of the CJPC.
- (8) To cooperate with the Information Technology Board in its annual plan and resource inventory of the participant agencies and courts.
- (9) To coordinate with the Information Technology Board to develop, maintain and communicate information services policy for the participant agencies and courts.
- (10) To coordinate the development of job descriptions and salary levels.
- (11) To approve the employment or retention by personal services contract a director for the Marion County Justice Agency.
- (12) To suggest and recommend standards for the efficient administration of the Marion County justice system.
- (13) To assist in establishing standards for privacy of personally identifiable confidential information and security of systems and records of participant agencies and courts.
- (14) To delegate any functions to the director, subject to review by the CJPC.
- (15) To hire necessary personnel not otherwise available in any existing agency within Marion County, who serve at the director's pleasure according to law, to carry out its duties.
- (16) To undertake such other studies or programs related to or involving the participant agencies and courts as may be adopted by the CJPC or assigned to the CJPC by the City-County Council.
- (17) To contract for assistance in the collection of money owed the MCJA and to add the costs of collection to the amount owed and collected.
- (18) To administer the pretrial services division and its subdivisions.
- (19) To administer the law enforcement fund and to have authority over expenditures from the fund.
- (20) To administer the conditional release fund and have authority over expenditures from the fund.
- (21) To monitor the balances in and expenditures from the drug free community fund, and make recommendations to the council consistent with the comprehensive drug free community plan and the requirements of IC 5-2-11-5.
- (22) It shall not be construed that any authorization herein to perform any functions described supercedes any authorizations vested solely within the discretion of the City-County Council.

**Sec. 283-226. Offices; quorum; meetings.**

- (a) All contracts, agreements, resolutions and official communications of the CJPC shall be in writing and executed by these officers upon being authorized by motion passed by the CJPC by simple majority of its voting members present. In the event of a tie vote, the Chairman shall cast an additional vote to break the tie.
- (b) A quorum of the Council shall be five (5) voting members.

(c) The Council shall meet monthly at such place and time as may be set by the chairman and may meet at such other times and places as may be needed, called by the chairman for a particular purpose. Four voting members may also call a meeting.

DIVISION 3. MARION COUNTY CRIMINAL JUSTICE PLANNING COUNCIL DIRECTOR

**Sec. 283-231. Director-Qualifications; responsibilities generally.**

(a) The director shall have such qualifications and experience as set by the CJPC. The director shall be selected from nominees approved by a CJPC consisting of the CJPC Chairman, the Mayor of Indianapolis and the Marion County Clerk. In the event that the Mayor of Indianapolis or the Clerk of Marion County is also serving as Chairman of the CJPC, then the third member of this CJPC shall be the Marion County Prosecutor.

(b) The director shall be the senior administrator of the MCJA and shall act as technical advisor and provide staff support for the CJPC in its deliberations. The director shall meet with the CJPC as an advisory member.

(c) The director shall have the authority and responsibility to act for the CJPC in its name on a daily operational basis when the CJPC is not in session, but all such action shall be subject to the review of the CJPC.

**Sec. 283-232. Same — Powers and duties.**

The director shall have the following additional specific duties:

- (1) To coordinate a review of information services activities, operations, requests and technical personnel of the participant agencies and courts, and provide recommendations on same to the participant agency, court or CJPC; to coordinate these matters with the Information Technology Board in accordance with Sec. 281-212;
- (2) To receive and review with comment and recommendation all reports, requests and documents for the CJPC;
- (3) To communicate for and on behalf of the CJPC with the participant agencies and courts, other governmental units, and the private sector when the Council is not in session;
- (4) To receive budget proposals for information services for the participant agencies and courts, and to assist the CJPC in review and evaluation of the budgets and coordinate with the city-county annual information services master plan;
- (5) To review all contracts and expenditures for information services related to the common database justice system development and submit same with comment and recommendation to the CJPC for action;
- (6) To coordinate with the Information Technology Board and the participant agencies and courts the preparation of a master plan for information services operations for all participant agencies and courts, consistent with the direction given from the CJPC;
- (7) To coordinate and supervise MCJA personnel, who serve at the director's pleasure, to carry out the CJPC's duties, including those duties to study and forecast long-term criminal justice, law enforcement and detention resource needs for the county; and
- (8) To coordinate and supervise such other studies or programs related to or involving the participant agencies and courts, as directed by the CJPC.

DIVISION 4. AGENCY

**Sec. 283-241. Marion County Justice Agency.**

The Marion County Justice Agency (MCJA) which shall be under the supervision of the Marion County Criminal Justice Planning Council through the director. The CJPC shall approve the organization of MCJA along such lines as are consistent with principles of good management and the provisions of this article.

**Sec. 283-242. Duties of director with respect to agency.**

MCJA shall be managed and supervised by the director. The director will be responsible for the planning, organization and management of MCJA consistent with the organization plans and policies approved by the CJPC.

**Sec 283-243. Agency function.**

MCJA shall provide coordination services to those local government participant agencies and courts designated by this article according to the direction given by the CJPC and the city-county information services master plan. MCJA, subject to the CJPC's direction, shall be the primary coordinator of information services for the participant agencies and courts, and shall receive systems and service requests from the participant agencies and courts, evaluate same and submit to the CJPC for approval or implement based on authority delegated by the CJPC, also subject to Sec. 285-212. MCJA shall also perform those responsibilities delegated by the CJPC relating to coordination and oversight of long-range planning and forecasting of criminal justice, law enforcement and detention resource needs for the County.

**Sec. 283-244. Cooperation of other city and county agencies.**

All city and county agencies of government and officials thereof shall furnish the CJPC and MCJA with information as is necessary to carry out the purpose and responsibilities of the CJPC; provided, however, that no agency will be required to furnish information that is defined as being privileged under applicable laws.

**Sec. 283-245. Funding.**

The MCJA shall operate on a charge back system so that city participant agencies and courts shall reimburse the MCJA for funds expended on their behalf.

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

Councillor McWhirter reported that the Administration and Finance Committee heard Proposal Nos. 283-285, 2003 on June 10, 2003. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 283, 2003. The proposal, sponsored by Councillor Tilford, determines the need to sublease approximately 950 square feet of office space at the Southwest Multi-Service Center, 5333 West Washington Street, for use by the Community Corrections' home-detention personnel. PROPOSAL NO. 284, 2003. The proposal, sponsored by Councillor Cockrum, amends the Code regarding the IMAGIS special projects fund. PROPOSAL NO. 285, 2003. The proposal, sponsored by Councillor Cockrum, approves a transfer of \$5,000 in the 2003 Budget of the Decatur Township Assessor (Property Reassessment Fund) to pay for mapping video cards. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor McWhirter moved, seconded by Councillor Tilford, for adoption. Proposal Nos. 283-285, 2003 were adopted on the following roll call vote; viz:

*24 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Conley, Coonrod, Coughenour, Douglas, Dowden, Frick, Gibson, Gray, Knox, Langsford, Massie, McWhirter, Nytes, Schneider, Short, Soards, Talley, Tilford*

*0 NAYS:*

*4 NOT VOTING: Horseman, Moriarty Adams, Sanders, Smith*

*1 ABSENT: Cockrum*

Proposal No. 283, 2003 was retitled SPECIAL RESOLUTION NO. 39, 2003, and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 39, 2003

A SPECIAL RESOLUTION determining the need to sublease approximately 950 square feet of office space at the Southwest Multi-Service Center, 5333 West Washington Street for home-detention personnel of the Marion County Community Corrections Agency.

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

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

SECTION 2. The property to be subleased is within the Southwest Multi-Service Center, 5333 West Washington Street in Indianapolis, and is leased to the Hawthorne Community Center by the owner, the Steven Clark Trust located in Wichita, Kansas.

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

Proposal No. 284, 2003 was retitled GENERAL ORDINANCE NO. 47, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 2003

PROPOSAL FOR A GENERAL ORDINANCE to amend the "Revised Code of the Consolidated City and County" regarding the IMAGIS special projects fund.

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

SECTION 1. Sections 135-321 and 135-322 of Chapter 135 of the "Revised Code of the Consolidated City and County" regarding the IMAGIS special projects fund be, and is hereby amended and recodified by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

DIVISION ~~2~~ 6. IMAGIS SPECIAL PROJECTS FUND

**Sec. 135-261. IMAGIS special projects fund.**

There is hereby established a special nonreverting fund for the information services agency, to be designated the "IMAGIS special projects fund." The auditor shall deposit in such fund specific revenue sources that are intended for the IMAGIS Consortium.

**Sec. 135-262. Nonreverting fund.**

(a) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and no such balances shall lapse into the city county general fund or be diverted directly or indirectly in any manner for any purpose other than that for which such revenues were received. Provided, however, at the time of termination and dissolution of the IMAGIS Consortium, if the revenues are in excess of the expenditures for the purposes intended, the excess shall be returned pro-rata to the full participants of the IMAGIS Consortium in accordance with the IMAGIS Service Agreement and in the manner approved by the IMAGIS Board.

(b) The county treasurer may invest money in this fund in the same manner that other money of the county may be invested, but all income earned from the investment must be deposited into this fund.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining

provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 285, 2003 was retitled FISCAL ORDINANCE NO. 72, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 98, 2002) transferring and appropriating an additional Five Thousand Dollars (\$5,000) in the Property Reassessment Fund for purposes of the Decatur Township Assessor and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(e) the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Decatur Township Assessor to pay for mapping video cards.

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

SECTION 3. The following increased appropriation is hereby approved:

<u>DECATUR TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	5,000
TOTAL INCREASE	5,000

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

<u>DECATUR TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
4. Capital Outlay	5,000
TOTAL DECREASE	5,000

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 291 and 292, 2003 on June 4, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 291, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$8,178 in the 2003 Budgets of the County Auditor and the County Prosecutor (State and Federal Grants Fund) to transfer remaining balances in Personal Services, Fringes, and Other Services and Charges to Supplies and Capital Outlay to cover existing expenses. PROPOSAL NO. 292, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$48,061 in the 2003 Budgets of the County Prosecutor and County Auditor (State and Federal Grants Fund) to transfer remaining balances in Personal Services to Supplies and Capital Outlay to cover existing expenses. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 291 and 292, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 291, 2003 was retitled FISCAL ORDINANCE NO. 73, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Eight Thousand One Hundred Seventy-eight Dollars (\$8,178) in the State and Federal Grants Fund for purposes of the County Prosecutor and reducing certain other appropriations from the County Auditor and the County Prosecutor.

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 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Prosecutor to transfer remaining balances in Personal Services, Fringes, and Other Services and Charges to Supplies and Capital Outlay to cover existing expenses.

SECTION 2. The sum of Eight Thousand One Hundred Seventy-eight Dollars (\$8,178) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	7,178
4. Capital Outlay	<u>1,000</u>
TOTAL INCREASE	8,178

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. Personnel Services	520

  

<u>COUNTY PROSECUTOR</u>	
1. Personal Services	3,058
3. Other Services and Charges	<u>4,600</u>
TOTAL DECREASE	8,178

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

Proposal No. 292, 2003 was retitled FISCAL ORDINANCE NO. 74, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Forty-eight Thousand Sixty-one Dollars (\$48,061) in the State and Federal Grants Fund for purposes of the County Prosecutor and reducing certain other appropriations from the County Auditor and the County Prosecutor.

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 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Prosecutor to transfer remaining balances in Personal Services and Fringes to Supplies and Capital Outlay to cover existing expenses.

SECTION 2. The sum of Forty-eight Thousand Sixty-one Dollars (\$48,061) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	9,061
4. Capital Outlay	<u>39,000</u>
TOTAL INCREASE	48,061

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personnel Services - fringes	15,719

<u>COUNTY PROSECUTOR</u>	
1. Personal Services	<u>32,342</u>
TOTAL DECREASE	48,061

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

PROPOSAL NO. 293, 2003. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 293, 2003 on June 4, 2003. The proposal, sponsored by Councillor Dowden, funds MECA operations in 2004 with County Option Income Tax revenue in the amount of \$2,750,000. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Coonrod, for adoption. Proposal No. 293, 2003 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*1 NOT VOTING: Smith*

*1 ABSENT: Cockrum*

Proposal No. 293, 2003 was retitled SPECIAL ORDINANCE NO. 5, 2003, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2003

A SPECIAL ORDINANCE election to fund MECA in 2004 with County Option Income Tax (COIT) Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the City-County Council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 2004, the City-County Council, prior to September 1, 2003, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

June 23, 2003

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

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 2004 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,750,000.

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

PROPOSAL NO. 304, 2003 Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 304, 2003 on June 4, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$13,000 in the 2003 Budget of the Marion County Justice Agency (County General Fund) for the purchase of new computers and equipment. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Soards, for adoption. Proposal No. 304, 2003 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Boyd, Gray, Smith*

1 ABSENT: *Cockrum*

Proposal No. 304, 2003 was retitled FISCAL ORDINANCE NO. 75, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Thirteen Thousand Dollars (\$13,000) in the County General Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.(i) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to transfer funds for the purchase of new computers and equipment.

SECTION 2. The sum of Thirteen Thousand Dollars (\$13,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	13,000
TOTAL INCREASE	13,000

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	13,000
TOTAL DECREASE	13,000

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

PROPOSAL NO. 305, 2003. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 305, 2003 on June 12, 2003. The proposal, sponsored by Councillors Bainbridge and Moriarty Adams, authorizes proceedings to acquire real estate that is necessary for Pogues Run Channel Improvements for Flood Protection to the Cottage Home Area. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bainbridge moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 305, 2003 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Dowden, Smith*

*1 ABSENT: Cockrum*

Proposal No. 305, 2003 was retitled GENERAL RESOLUTION NO. 9, 2003, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 2003

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase a particular parcel of real estate located in Marion County, which is described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for Pogues Run Channel Improvements for Flood Protection to the Cottage Home Area; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

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

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by R. P. S. and R., Inc., through a Warranty Deed which was recorded in the office of the Marion County Recorder on August 8, 2002, as Instrument Number 2002-0149559.

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

Councillor Bainbridge reported that the Public Works Committee heard Proposal Nos. 306 and 307, 2003 on June 12, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 306, 2003. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 13th Street and Hawthorne Lane (District 15). PROPOSAL NO. 307, 2003.

The proposal, sponsored by Councillor Schneider, authorizes multi-way stops at Cranbrook Drive and Briarwood Drive, and at Cranbrook Drive and Dover Drive (District 3). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Bainbridge moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 306 and 307, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 306, 2003 was retitled GENERAL ORDINANCE NO. 48, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	13 <sup>th</sup> St Hawthorne Ln	Hawthorne Ln	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	13 <sup>th</sup> St Hawthorne Ln	None	All Way Stop

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

Proposal No. 307, 2003 was retitled GENERAL ORDINANCE NO. 49, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Cranbrook Dr Dover Dr	Cranbrook Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Cranbrook Dr Dover Dr	None	All Way Stop
12	Cranbrook Dr Briarwood Dr	None	All Way Stop

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

### SOLID WASTE SPECIAL SERVICE DISTRICT SPECIAL ORDERS - PUBLIC HEARING

President Borst convened the Solid Waste Special Service District Council.

PROPOSAL NO. 241, 2003. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 241, 2003 on June 12, 2003. The proposal, sponsored by Councillors Dowden, Moriarty Adams, Bainbridge, and Talley, approves a transfer of \$175,000 in the 2003 Budget of the Department of Public Safety, Police Division (Solid Waste Collection Service District Fund) to perform illegal dumping enforcement in Marion County, financed by a transfer from the Department of Public Works, Operations Division. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:53 p.m. There being no one present to testify, Councillor Bainbridge moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 241, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 241, 2003 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2003, and reads as follows:

#### CITY-COUNTY SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT NO. 1, 2003

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 2003 (Solid Waste Collection Special Service District Fiscal Ordinance No. 2, 2002) transferring and appropriating One Hundred and Seventy Five Thousand (\$175,000) in the Solid Waste Collection Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations from the Department of Public Works, Operations Division.

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



SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to perform illegal dumping enforcement in Marion County.

SECTION 2. The sum of One Hundred and Seventy Five Thousand Dollars (\$175,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>SOLID WASTE COLLECTION</u>
<u>POLICE DIVISION</u>	<u>SERVICE DISTRICT FUND</u>
1. Personal Services	107,266
2. Supplies and Material	2,349
3. Other Services and Charges	916
4. Capital Outlays	<u>64,469</u>
TOTAL INCREASE	175,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION</u>
<u>OPERATIONS DIVISION</u>	<u>SERVICE DISTRICT FUND</u>
3. Other Services and Charges	<u>175,000</u>
TOTAL DECREASE	175,000

SECTION 5. Section 5(c) of Police Special Service District Fiscal Ordinance 3, 2002 as amended by Fiscal Ordinance No. 1, 2003, is hereby further amended by approving the addition of two (2) more Civilian FTE positions, as shown below.

Department	Division	Position Type	2003 Approved	2003 As Amended
Public Safety	Police	Full Time (Civilian) FTE	367.94	369.94
Public Safety	Police	Uniform (sworn) FTE	1,224.50	1,224.50
Public Safety	Police	Part Time FTE	6.42	6.42
Public Safety	Police	School Crossing Guard FTE	15.36	15.36
<i>Police Total</i>			1,614.22	1,616.22

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

The President reconvened the City-County Council.

**NEW BUSINESS**

Councillor Bradford stated that he has provided a press release for all members of the Council and because of all of the news stories and serious questions surrounding the city waterworks, he asked the President of the Council to create a special investigative committee to address several issues. He said that the recent resignation of board member, Alan Kimbel, and gag orders for board members has raised additional questions and frustrations.

Councillor Short asked that the President deny Councillor Bradford's request. He said that there have been numerous ordinances introduced and defeated or left without action regarding waterworks ever since its purchase. He said that the Waterworks Board is an independent body and there are many issues and questions in litigation and he believes these issues will come to light as a result of this litigation. He said that the Council has more important things to spend their time on.

Councillor Horseman agreed and said that this is political grandstanding and the matter is better left in the hands of the court.

Councillor Nytes agreed and said that the Council needs to let the board members they appointed do their job.

Councillor McWhirter said that she is in favor of a special committee, as she believes there are many unanswered questions.

Councillor Coonrod said that the public is calling for an investigation, and as the Council has oversight, they should look into the allegations.

Councillor Coughenour stated that, as a member of the Waterworks Board, she does not have a problem with having questions answered. She said that although members cannot talk about the pending litigation, there are no gag orders. She said that there were many inaccuracies in the *Indianapolis Star* editorial. She said, however, that she has no problem with an investigative committee, because the board has nothing to hide and everyone can then finally know the truth.

Councillor Conley said that he is not aware of a public outcry other than Mr. Kimbel's resignation and letter to the editor.

Councillor Bainbridge said that he agrees with Councillor Coughenour and believes if the board is put under the light, they will pass the test.

Councillor Sanders stated that an investigative committee could violate criteria established through litigation and she believes it is a bad idea.

Councillor Gray asked why Councillor Bradford simply does not go to the Waterworks Board and sit down with them himself if he has so many questions.

Councillor Talley said that he also believes the board will stand up to the scrutiny, and he said the forming of a committee should be left up to the full Council.

Councillor Nytes said that she would hope the Council would not find it necessary to spend more consulting funds on such an issue.

Councillor Boyd said that there have been several proposals on the Council's docket regarding the water company purchase and they have never been brought to a vote, because there was not enough support for them. He said that this issue has had a great deal of conversation and he believes this is political grandstanding, and the Council could indeed face legal issues if they interfere.

Councillor Coughenour said that there are facts that may not be clear, and Mr. Kimbel did not resign for the reasons he stated in his letter. She said that he was asked by every member of the board to resign, and there are many things mentioned in his letter that are not fact. She said that there was even a retraction for some of these things.

President Borst said that he has given this issue much thought and it seems many are very frustrated trying to get the answers they need, including himself. He said that there does seem to be a perception that something is wrong, and for that reason, he feels a committee is not a bad idea to bring things to light. He said that the President cannot appoint an investigative committee, but

can appoint a special committee and will do so. He added that he has asked Councillor Massie to chair this special committee, as he is a very fair-minded, balanced individual and will do a good job. He said that he will appoint a five to seven-member committee within the next week. Councillor Talley asked if President Borst will consult with Councillor Boyd for representation from the Democrat caucus. President Borst said that he will.

Councillor Boyd said that it will also be important to charge the committee with exactly what they should be looking at, and this should be in writing and well-thought out and well intentioned. President Borst agreed.

## ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillors Langsford, and Borst in memory of Clarence G. Ammerman and Harold S. Gillette; and
- (2) Councillors Langsford and Gray in memory of John T. Donlan and Paul E. Miller; and
- (3) Councillors Langsford, Gray, and Bainbridge in memory of Leona J. Bayt; and
- (4) Councillors Langsford and Soards in memory of Frank J. Burkhard; and
- (5) Councillor Langsford in memory of Juanita Conn; and
- (6) Councillor Moriarty Adams in memory of Martin (Marty) Yohler, Alberta Neill, and Winford Johnson; and
- (7) Councillors Boyd, Borst, and Dowden in memory of Faye Mowery; and
- (8) Councillor Nytes in memory of Courtney Bradley and W. Charles Homann, Jr.; and
- (9) Councillor Gibson in memory of Carl Darrick Woods and Maryanne Martin Dezelan.

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 Clarence G. Ammerman, Harold S. Gillette, John T. Donlan, Paul E. Miller, Leona J. Bayt, Frank J. Burkhard, Juanita Conn, Martin (Marty) Yohler, Alberta Neill, Winford Johnson, Faye Mowery, Courtney Bradley, W. Charles Homann, Jr., Carl Darrick Woods, and Maryanne Martin Dezelan. 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 9:19 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 23rd day of June, 2003.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Philip C. Bartholomew*

President

ATTEST:

*Suzanne Hart*

Clerk of the Council

(SEAL)