

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

**REGULAR MEETINGS
MONDAY, JANUARY 13, 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 7:09 p.m. on Monday, January 13, 2003, with President Borst presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Bradford recognized Ray Cox, president of the Indiana Package Store Association.

**ORGANIZATION OF COUNCIL
Selection of Temporary Presiding Officer**

President Borst asked for consent to appoint Robert G. Elrod, Parliamentarian, as the temporary chairman of the meeting. Consent was given. The President passed the gavel to Mr. Elrod.

Election of Officers

Mr. Elrod opened the floor for nominations for President of the Council. Councillor Talley nominated Councillor Borst for President. Councillor Boyd seconded the nomination. Councillor Massie moved, seconded by Councillor Cockrum, to close nominations. Nominations were closed on the following roll call vote, thereby electing Councillor Borst as Council President:

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

President Borst said that it is his pleasure to serve the members of this Council, and he thanked them for their confidence.

Mr. Elrod opened the floor for nominations for Vice President of the Council. Councillor Massie nominated Councillor Coughenour for Vice President. Councillor Moriarty Adams seconded the nomination. Councillor Cockrum moved, seconded by Councillor Talley, to close nominations. Nominations were closed by a voice vote, thereby electing Councillor Coughenour as Council Vice President.

Councillor Coughenour thanked the Council for their support and said that she is looking forward to serving in this capacity.

Mr. Elrod opened the floor for nominations for Clerk of the Council. Councillor Black nominated Suellen Hart for Clerk of the Council and stated that Ms. Hart is one of the most effective, qualified individuals ever to hold this position, and he commended her for her leadership of the Council staff. Councillor Moriarty Adams seconded the nomination. Councillor Cockrum moved, seconded by Councillor Massie, to close nominations. Nominations were closed by a unanimous voice vote, thereby electing Suellen Hart as Clerk of the Council.

Ms. Hart thanked the Council for their support, and stated that her job is made easier by having such an efficient staff.

Councillor Sanders stated that she is proud to see Councillor Coughenour in a position traditionally held by men and is glad to see such progression in this body. She said that her negative votes simply indicate her frustration at not having more candidates to choose from.

Certification of Caucus Leaders

Mr. Elrod stated that he has certifications that Councillor Coughenour has been selected as leader of the Republican Caucus, and Councillor Boyd has been selected as leader of the Democratic Caucus.

Mr. Elrod returned the gavel to President Borst.

Reappointment of Senior Staff

Councillor Massie reported that the Rules and Public Policy Committee reviewed reappointment of senior staff members on November 25, 2002, and recommends such reappointment. The following senior staff members were reappointed by a unanimous voice vote: Robert G. Elrod as

January 13, 2003

General Counsel, Max L. Moser as Research Director, and Assistant Clerks Ava Earles and Peggy Stawick.

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, January 13, 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
President, City-County Council

December 17, 2002

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, December 20, 2002, a copy of a Notice of Public Hearing on Proposal No. 633, 2002, said hearing to be held on Monday, January 13, 2003, at 7:00 p.m. in the City-County Building.

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

December 24, 2002

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

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 150, 2002 - approves an increase of \$15,000 in the 2002 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to provide support for criminal history integration with statewide data, funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 151, 2002 - approves a transfer of \$30,000 in the 2002 Budget of the Department of Parks and Recreation (Federal Non-lapsing Grants Fund) to continue the after-school programs at Forest Manor School and School 108 for the 2002-2003 school year

FISCAL ORDINANCE NO. 153, 2002 - approves a transfer of \$59,715 in the 2002 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to support the continuation of the Arrestee Drug Abuse Monitoring Program (ADAM) from October 1, 2002, to September 30, 2003

GENERAL ORDINANCE NO. 111, 2002 - authorizes a change in parking restrictions on Louisiana Street between McCrear Street and Meridian Street (District 16)

SPECIAL ORDINANCE NO. 7, 2002 - a final resolution for Canal Square Associates, L.P. in an amount not to exceed \$12,300,000 which consists of refinancing the acquisition, construction and equipping of an existing 275-unit multifamily residential facility located on approximately 3.1 acres of land located at 402 West New York Street (District 16)

GENERAL RESOLUTION NO. 14, 2002 - approves certain public purpose grants totaling \$600,000 from the Drug Free Community Fund for 2003

SPECIAL RESOLUTION NO. 73, 2002 - recognizes the public service of Marion County Clerk Sarah M. Taylor

SPECIAL RESOLUTION NO. 75, 2002 - recognizes the public service of Marion County Prosecutor Scott C. Newman

SPECIAL RESOLUTION NO. 76, 2002 - recognizes the public service of Judge Richard Good

SPECIAL RESOLUTION NO. 77, 2002 - recognizes the public service of Judge William Lawrence

SPECIAL RESOLUTION NO. 78, 2002 - recognizes the public service of Judge Z. Mae Jimison

SPECIAL RESOLUTION NO. 79, 2002 - supports the development and participation in an eight-hour ozone Early Action Compact for central Indiana to help reduce ozone and to improve the air quality for central Indiana

SPECIAL RESOLUTION NO. 80, 2002 - recognizes outstanding community volunteer students of the Warren Township Renaissance School

SPECIAL RESOLUTION NO. 81, 2002 - recognizes West Indy's 4th Annual Steak n Shake's Breakfast with Santa

SPECIAL RESOLUTION NO. 82, 2002 - recognizes the public service of Marion County Children's Guardian Home Superintendent Paul B. Browne

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2002 - approves an appropriation of \$300,000 in the 2002 Budget of the Department of Public Safety, Police Division (Police General Fund) to pay increased costs of health insurance benefits for active and retired sworn officers and civilian employees, financed by fund balances

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 December 16, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 19, 2003. The proposal, sponsored by Councillor McWhirter, recognizes the Wayne Township Fire Department for its rescue of a young person who fell through the ice at a housing development pond. Councillor McWhirter read the proposal and presented representatives with copies of the document and Council pins. Wayne Township Fire Chief Ron Evans introduced involved firefighters and thanked the Council for the recognition. Councillor McWhirter moved, seconded by Councillor Gray, for adoption. Proposal No. 19, 2003 was adopted by a unanimous voice vote.

Proposal No. 19, 2003 was retitled SPECIAL RESOLUTION NO. 1, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 2003

A SPECIAL RESOLUTION recognizing the Wayne Township Fire Department for its rescue of a young person who fell through the ice at a housing development pond.

WHEREAS, another winter has arrived, and already the city has experienced the dangers of thin ice conditions on streams and ponds; and

WHEREAS, on December 15th, a teenager broke through the ice while retrieving a ball on a pond in Chapel Glen Estates on the city's westside; and

WHEREAS, a witness called 911 which dispatched the Wayne Township Fire Department at 5:03, and by 5:11 the youth was safely pulled from the cold water; and

WHEREAS, circumstances were favorable this time: The hapless youth was seen, the call was immediately made, and Wayne Township was trained, equipped and ready for the emergency—but this incident should serve as a wake up call for all Indianapolis citizens about the inherent dangers of ice on streams and ponds; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends the men and women of the Wayne Township Fire Department for their professionalism as shown on December 15th when they responded fast and rescued a young man from the partially frozen ice of the Chapel Glen Estates retention pond.

SECTION 2. The Council is grateful for the fortunate outcome of this thin ice incident, and urges all Indianapolis and Marion County residents to simply avoid ice on ponds and streams, or to at least use ample precautions when going out onto ice covered water.

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. 609, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 609, 2002 at a committee hearing prior to this meeting. The proposal, sponsored by Councillor Boyd, approves the Mayor's appointment of Robert B. Turner as the Director of the Department of Public Safety. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Boyd, for adoption. Proposal No. 609, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 609, 2002 was retitled COUNCIL RESOLUTION NO. 1, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 2003

A COUNCIL RESOLUTION approving the Mayor's appointment of Robert B. Turner as the Director of the Department of Public Safety for a term ending December 31, 2003.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Robert B. Turner to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 2003; now, therefore:

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

SECTION 1. Robert B. Turner is approved and confirmed by the City-County Council to serve as the Director of the Department of Public Safety for a term ending December 31, 2003.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 1, 2003. Introduced by Councillors Councillors Soards, Bainbridge, Black, Boyd, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Talley, and Tilford. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which urges the Indiana General Assembly, State of Indiana Alcohol & Tobacco Commission and the local Alcoholic Beverage Board of Marion County to stop the proliferation of alcohol outlets commonly referred to as gas stations and convenience stores"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 2, 2003. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns the resale of admission tickets of any National Collegiate Athletic Association Division 1 Final Four Basketball Championships"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 3, 2003. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Jimmy C. Bostick as hearing officer"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 4, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$50,000 in the 2003 Budget of the Department of Parks and Recreation (Park General Fund) to design and construct the Indianapolis First Tee Junior Golf Facility at 1100 East 25th Street, financed by a grant from the United States Golf Association"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 5, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$13,000 in the 2003 Budget of the Department of Parks and Recreation (Park General Fund) to restore the natural habitat and environment at Ellenberger Park, and to remove invasive plant species at Holliday Park, financed by "Golden Eagle" grants from Indianapolis Power and Light"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 6, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$187,095 in the 2003 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to restore and maintain vegetation and the natural habitat of 49 acres of Town Run South Trail Park, financed by federal funds"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 7, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$507,500 in the 2003 Budget of the Department of Parks and Recreation (Non-Lapsing Federal

Grants Fund) to fund a restoration project at Reverend Martin Luther King Jr. Park, which will repair the swimming pool walls and repair and enhance the interactive water playground, financed by federal grants (Local match of \$217,500 is funded by existing appropriation in the Department of Parks and Recreation budget.); and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 8, 2003. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$200,000 in the 2003 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to acquire 50 acres of land adjacent to Mann Road in Decatur Township, including 8.6 acres of forest land, as an addition to Southwestway Park, financed by a federal grant"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 9, 2003. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$82,433 in the 2003 Budget of the County Sheriff (State and Federal Grants Fund) to reimburse overtime spent for eight officers assigned to investigate incidents of violent crimes, funded by a grant through Federal Bureau of Investigations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 10, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$620,000 in the 2003 Budget of the Metropolitan Emergency Communications Agency (MECA/County Emergency Telephone System Fund) to fund the purchase of new radios, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 11, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$332,000 in the 2003 Budget of Marion County Justice Agency (Law Enforcement Equitable Share) to appropriate funds for the 2003 Budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 12, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$62,000 in the 2003 Budget of Marion County Justice Agency (Conditional Release Fund) to fund the Conditional Release Redesign Project, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 13, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$33,663 in the 2003 Budget of Community Corrections (Home Detention User Fee Fund) to fund an evaluation of the Marion County Community Correction Mental Health Component, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 14, 2003. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Diana Wilson Hall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 15, 2003. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dale J. Thornberry to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 16, 2003. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Tony Buford to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 17, 2003. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Arno W. Haupt to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 18, 2003. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kenneth W. Hughes to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 25, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ken Giffin to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 26, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William Schneider to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 27, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Mike Wallman to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 28, 2003. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which allows signs for special events of not-for-profit entities to be erected or posted for a temporary period of time on the property of the not-for-profit entity without an improvement location permit (02-AO-02) (Certified January 8, 2003)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 29, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Phyllis Gabovitch to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 30, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Bruce B. Melchert to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 31, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Gus Miller to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 32, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joanna Niehoff to

the Indianapolis City Market Corporation Board of Directors”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 33, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Susan J. Powers to the Indianapolis City Market Corporation Board of Directors”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 34, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Judy Stanley to the Indianapolis City Market Corporation Board of Directors”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 35, 2003. Introduced by Councillors Coughenour and Nytes. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Alan Wiseman to the Indianapolis City Market Corporation Board of Directors”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 36, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Jerry Barnaby to the Citizens Police Complaint Board”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 37, 2003. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Charles Neill to the Citizens Police Complaint Board”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 38, 2003. Introduced by Councillor Massie. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Gilbert Mascher to the Alcoholic Beverage Board of Marion County”; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 39, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Martha A. Womacks to the Information Technology Board”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 40, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Bill Ehert to the County Property Tax Assessment Board of Appeals”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 41, 2003. Introduced by Councillors Boyd and Nytes. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Linda N. Perdue to the Equal Opportunity Advisory Board”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 42, 2003. Introduced by Councillors Boyd and Nytes. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Gary Gibson to the

Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 43, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Charles Hiltunen to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 44, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dollyne Sherman to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 45, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sue Beesley to the City County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 46, 2003. Introduced by Councillors Borst and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Eric D. Jones to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 47, 2003. Introduced by Councillors Boyd and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Leon Bates to the Marion County Storm Water Management Advisory Committee"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 48, 2003. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Curtis Coonrod to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 49, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Paul Ricketts to the City County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 50, 2003. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Richard Petrecca to the County Property Tax Assessment Board of Appeal"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 51, 2003. Introduced by Councillors Borst and Nytes. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints John Thompson to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 52, 2003. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Robert Pfeifer to the Health and Hospital Corporation Board of Trustees"; and the President referred it to the Municipal Corporations Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 20, 2003 and PROPOSAL NOS. 21-24, 2003. Introduced by Councillor Smith. Proposal No. 20, 2003 and Proposal Nos. 21-24, 2003 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 17 and 31, 2002, respectively. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 1-5, 2003, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO 1, 2003.

2002-ZON-124

815-817 N DELAWARE STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 0.20 acre, being in the I-3-U (RC) District, to the D-8 (RC) classification to provide for residential development.

REZONING ORDINANCE NO 2, 2003.

2002-ZON-140

6345 RUCKER ROAD (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4

INDIANAPOLIS, INDIANA CONGREGATION OF JEHOVAH'S WITNESS, GLENDALE UNIT, by Jeffrey W. Scripture, requests a rezoning of 3.22 acres, being in the D-2 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO 3, 2003.

2002-ZON-143 (Amended)

2661 and 2719 SOUTH RANDOLPH STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

VILLA BAPTIST CHURCH, by David Kingen, requests a rezoning of 0.42 acre, being in the SU-1 District, to the D-5 classification to legally establish a two-family dwelling.

REZONING ORDINANCE NO 4, 2003.

2002-ZON-151

7044 SUNNYSIDE ROAD (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

M/I HOMES, by Stephen D. Mears, requests a rezoning of 49.87 acres, being in the D-A (FW)(FF) District, to the D-2 (FW)(FF) classification to provide for residential development.

REZONING ORDINANCE NO 5, 2003.

2002-ZON-153

3600 NORTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 14

CHARTER DEVELOPMENT COMPANY, LLC requests the rezoning of 11.58 acres, being in C-4 and D-P Districts, to the SU-2 classification to provide for the construction of a charter school.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 633, 2002. The proposal, sponsored by Councillor Smith, proposes to rezone 77.1 acre at 10940 East 42nd Street in Lawrence Township, Councilmanic District 5, from D-P (FF) District to D-P (FF) classification to provide for 282 single-family dwellings, resulting in 3.66 units per acre (2002-ZON-122) (2002-DP-013). On December 16, 2002, Councillor Coonrod called Proposal No. 633, 2002 out for a public hearing on January 13, 2003.

Councillor Coonrod made the following motion:

Mr. President:

I am pleased to report that the parties involved in the rezoning at 10940 East 42nd Street have reached a compromise and it will not be necessary to have a hearing on this matter; therefore, I move that Proposal No. 633, 2002 (Rezoning Petition No. 2002-ZON-122/2002-DP-013) be adopted incorporating therein the additional commitments dated January 13, 2003.

Councillor Moriarty Adams seconded the motion and Proposal No. 633, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 633, 2002 was retitled REZONING ORDINANCE NO. 6, 2003, and is identified as follows:

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

Councillor Horseman thanked those who worked on this process, as it has brought up some other issues and solutions to the DP process which needs to be looked at more extensively. Councillor Coonrod thanked Councillor Horseman for her cooperation and assistance in these negotiations.

NEW BUSINESS

Councillor Nytes said that this evening is the first evening of closed captioning by Channel 16, and she commended the staff at Channel 16 for implementing this service.

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 Soards, Bainbridge, McWhirter, and Cockrum in memory of Francis Maynard; and
- (2) Councillor Langsford in memory of Venita I. Ochs; and
- (3) Councillor Nytes in memory of Clay R. Thomas; and
- (4) Councillor Bradford in memory of Jim Sears; and
- (5) Councillors Langsford and Gray in memory of Justin Denis Reuter and Anna Zeronik; and
- (6) Councillor Tilford in memory of Nellie Anne Sutherlin; and
- (7) Councillor Cockrum in memory of David George Reilich.

January 13, 2003

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 Francis Maynard, Venita I. Ochs, Clay R. Thomas, Jim Sears, Justin Denis Reuter, Anna Zeronik, Nellie Anne Sutherlin, and David George Reilich. 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 7:40 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 13th day of January, 2003.

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



President

ATTEST:



Clerk of the Council

(SEAL)