

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

**REGULAR MEETINGS  
MONDAY, JUNE 4, 2001**

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 7:11 p.m. on Monday, June 4, 2001, with President SerVaas presiding.

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

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Sanders recognized representatives from Indianapolis Police Department (IPD), Indianapolis Fire Department (IFD), Department of Parks and Recreation (DPR), American Federation of State, County, and Municipal Employees (AFSCME), Fraternal Order of Police (FOP), and other organized labor personnel. Councillor Nytes introduced John Gibson, activist in the Mapleton/Fall Creek neighborhood, and Monde Maquela, Regional Director for Economic Affairs for Eastern Cape, South Africa. Councillor Gibson recognized Ricardo Gambetta, the Director of Latino Affairs for the Mayor's Office. Councillor Massie recognized Ramona Baker, executive director, and other staff from the Arts Council of Indianapolis. Councillor Bradford thanked the Purdue Cooperative Extension representatives for the dinner and presentation earlier this evening. Councillor Gray introduced Larry Ryan of the Southside Democratic Club and Tommy Fossett, long-time Indianapolis resident and local baseball legend.

Councillor Short recognized World Police and Fire Games participants and invited the president of the games, Dan Overlay, to say a few words about the program, which begins Friday, June 8, 2001. Mr. Overlay thanked the Council and the City for their support in planning and securing this international event for the City of Indianapolis. Chief Louis Dezelan, IFD, stated that Mr. Overlay has done an exceptional job from the bid process to the actual event coming next week and deserves a lot of recognition. He said that the games will bring over 9,000 athletes from 55 countries to the City and is estimated to generate \$40 million in revenue. He said that there are 182 IFD employees registered for the games and 1,700 police and fire personnel involved from the state of Indiana. Chief Jerry Barker, IPD, said that he is proud to be a part of this fantastic event, and it is a great tribute to this fine City that while other cities lack volunteers for international events, Indianapolis has a waiting list of people wanting to help with the games.

### 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 4, 2001, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

May 22, 2001

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, May 23, 2001, and in the *Indianapolis Star* on Thursday, May 24, 2001, a copy of a Notice of Public Hearing on Proposal Nos. 181, 239, 240, 242-251, and 253-258, 2001, said hearing to be held on Monday, June 4, 2001, at 7:00 p.m. in the City-County Building.

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

May 31, 2001

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. 43, 2001 - approves an increase of \$604,300 in the 2001 Budgets of the County Auditor, Prosecuting Attorney, County Sheriff, and the Marion County Public Defender Agency (County General Fund) to fund part two of the settlement of a court mandate for two new courts and additional staff, funded by reduction in fund balances

FISCAL ORDINANCE NO. 45, 2001 - approves an increase of \$3,614,097 in the 2001 Budget of the Department of Metropolitan Development, Community Development and Financial Services Division

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(Redevelopment General and Federal Grants Funds) to develop market rate rental units and parking at the former William. H. Block Building, financed by a federal grant (Urban Development Action Grant) and by insurance proceeds deposited last year in the Redevelopment General Fund

FISCAL ORDINANCE NO. 46, 2001 - approves a second re-appropriation of funds remaining in a 1998 Build Indiana grant in the amount of \$43,183 in the 2001 Budget of the Department of Capital Asset Management (State Grants Fund) to match federal funds to continue the widening of Harding Street from Raymond Street to Hanna Avenue

FISCAL ORDINANCE NO. 47, 2001 - approves an appropriation of \$105,000 in the 2001 Budget of the Department of Capital Asset Management, Permits Division (Federal Grants Fund) to develop detailed floodplain and floodway maps and prepare a hydraulic analysis within the Little Buck Creek flood plain area, financed by a grant from the Federal Emergency Management Agency, which funds seventy-five percent of the project

FISCAL ORDINANCE NO. 48, 2001 - approves a re-appropriation of \$284,660 in the 2001 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to complete a project which enhances the 16th Street/Crawfordsville Road Corridor, financed by a contribution from the Hulman Memorial Foundation

FISCAL ORDINANCE NO. 49, 2001 - amends the Annual Budget for 2001 to authorize and to fix the salaries of City employees for calendar year 2001

FISCAL ORDINANCE NO. 50, 2001 - approves a transfer of \$9,280 in the 2001 Budgets of the County Auditor and the Marion County Justice Agency (Law Enforcement Fund) to help fund the salary of an existing position within the Metro Drug Task Force

GENERAL ORDINANCE NO. 43, 2001 - creates a county-wide Marion County Storm Water Management District and a storm water management system within the Department of Public Works

GENERAL ORDINANCE NO. 44, 2001 - increases the sewer user fee

GENERAL ORDINANCE NO. 45, 2001 - clarifies the ordinances regarding operation of bicycles by children and adults, to make them consistent with state statute, and to repeal the requirement that bicycles be registered with the Indianapolis Police Department

GENERAL ORDINANCE NO. 46, 2001 - authorizes parking restrictions for Market Street between Highland Avenue and Oriental Street (District 22)

GENERAL ORDINANCE NO. 47, 2001 - authorizes parking restrictions for 42nd Street, on the south side, from Central Avenue to College Avenue (District 6)

GENERAL ORDINANCE NO. 48, 2001 - authorizes parking restrictions for Ray Street, on both sides, from Harding Street east to the dead-end (District 25)

GENERAL ORDINANCE NO. 49, 2001 - authorizes a change in parking restrictions for various intersections along 10th Street (Districts 10, 13, 15, 22)

GENERAL ORDINANCE NO. 50, 2001 - authorizes parking restrictions for Avondale Place at 22nd Street (District 10)

SPECIAL RESOLUTION NO. 28, 2001 - congratulates Eli Lilly and Company upon its 125th Anniversary

SPECIAL RESOLUTION NO. 29, 2001 - recognizes Arsenal Technical High School National Merit Scholar Brian Neltner

SPECIAL RESOLUTION NO. 30, 2001 - recognizes the successful April 28th Warren Township Pride Cleanup Day

SPECIAL RESOLUTION NO. 31, 2001 - recognizes the detective team of IPD-East District for solving a troublesome string of home burglaries

SPECIAL RESOLUTION NO. 32, 2001 - recognizes the 10th Anniversary Celebration of Rev. Herbert Gater, Jr., of Greater Galilee Institutional Missionary Baptist Church

SPECIAL RESOLUTION NO. 33, 2001 - an inducement resolution for Nora Pines Apartments in an amount not to exceed \$10,500,000 for the renovation, rehabilitation and continued operation as a multifamily rental property of the existing 254-unit apartment complex on approximately a 15-acre parcel of land located at 8921 Compton Street (District 3)

SPECIAL RESOLUTION NO. 34, 2001 - an inducement resolution for Pedcor Investments in an amount not to exceed \$10,950,000 for the construction and equipping of a 208-unit apartment complex on an approximately 22.9 acre parcel of land located at 4970 and 4850 W. 62nd Street (District 1)

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 2001 - approves an appropriation of \$150,000 in the 2001 Budget of the Department of Public Safety, Fire Division (Federal Grants Fund) to manage the FEMA Urban Search and Rescue Task Force, funded by a federal grant

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 May 21, 2001. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 299, 2001. The proposal, sponsored by Councillors Horseman, Gibson, Conley, and Boyd, recognizes the June 9th Second Annual Tastes of Africa 2001. Councillor Horseman read the proposal and presented representatives with copies of the document and Council pins. Shola Ajoby, Director of the International African Center, thanked the Council for the recognition and invited members to attend the event. Councillor Horseman moved, seconded by Councillor Gibson, for adoption. Proposal No. 299, 2001 was adopted by a unanimous voice vote.

Proposal No. 299, 2001 was retitled SPECIAL RESOLUTION NO. 35, 2001, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 35, 2001**

A SPECIAL RESOLUTION recognizing the June 9<sup>th</sup> Second Annual Tastes of Africa 2001.

WHEREAS, the African Community International Center will host its Second Annual Tastes of Africa 2001 on Saturday evening, June 9<sup>th</sup>, at the downtown Indianapolis Artsgarden at Illinois and Washington Streets; and

WHEREAS, the African Community International Center works throughout the year to assist Africans in the United States, to network for commerce and business, and to improve race relations and cultural awareness; and

WHEREAS, this year's annual fund raising dinner event is being sponsored in part by St. Vincent Hospitals and will feature The Honorable Marcos Mamashulua, the Mozambique Ambassador to the United States; and

WHEREAS, Tastes of Africa 2001 attendees will be treated to representative food, music and fashions from at least 16 African nations and will have the opportunity to meet new friends and experience several different cultural heritages; 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 wishes Tastes of Africa 2001 the very best of success, and is optimistic that the African Community International Center will have a productive year in advancing its mission.

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SECTION 2. The Council urges many citizens to attend the Tastes of Africa 2001 African showcase dinner, and observes that food and music is an outstanding way to discover other cultures and traditions.

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. 309, 2001. The proposal, sponsored by Councillor Conley, recognizes exceptional CVS Corporation pharmacist Jim Kessler. Councillor Conley read the proposal and presented Mr. Kessler with a copy of the document and a Council pin. Mr. Kessler thanked the Council for the recognition and introduced family members joining him this evening. Councillor Conley moved, seconded by Councillor Boyd, for adoption. Proposal No. 309, 2001 was adopted by a unanimous voice vote.

Proposal No. 309, 2001 was retitled SPECIAL RESOLUTION NO. 36, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 2001

A SPECIAL RESOLUTION recognizing exceptional CVS Corporation pharmacist Jim Kessler.

WHEREAS, CVS is America's largest pharmacy, but like its competitors, it must attend to the well-being of its pharmacy customers one at a time; and

WHEREAS, a particularly outstanding local pharmacist is Jim Kessler of the CVS/pharmacy store at 5536 East Fall Creek Boulevard who is exceedingly courteous, explains things especially to the neighborhood's elderly residents, is active in the neighborhood, and exhibits inspiring good old-fashioned virtues and values; and

WHEREAS, Jim graduated from Purdue University's School of Pharmacy in 1961, and after serving two years in the U.S. Marine Corps returned to Indiana to work for Hook's Drugs and in time was promoted to Assistant Vice-President of Operations; and

WHEREAS, from 1977 to 1982, he worked for the Marsh Supermarkets' Peoples Drugs, and when that was sold, he returned to Hook's, where since 1983 he was with Hook's HSI, then Revco, and finally CVS all at the same store location where he served as pharmacy manager; now, therefore:

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

SECTION I. The Indianapolis City-County Council recognizes pharmacist Jim Kessler of CVS Corporation who exemplifies the very best in professionalism and in customer service.

SECTION 2. The Council wishes him well in his retirement as he now will have more time for ballroom dancing with his wife Katie, traveling, and spending quality time with their children Susan and Michael, and their grandchildren Vincent and Cory.

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

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

President SerVaas stated that Proposal Nos. 183 and 267, 2001 are both board appointments that passed out of their respective committees with unanimous do pass recommendations. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 183, 2001. The proposal, sponsored by Councillor Cockrum, appoints Kenneth Emge Almon to the Equal Opportunity Advisory Board. PROPOSAL NO. 267, 2001. The proposal, sponsored by Councillor Dowden, appoints Curtis Coonrod to the Marion County

Community Corrections Advisory Board. Councillor Borst moved, seconded by Councillor Black, for adoption. Proposal Nos. 183 and 267, 2001 were adopted by a unanimous voice vote.

Proposal No. 183, 2001 was retitled COUNCIL RESOLUTION NO. 60, 2001, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2001

A COUNCIL RESOLUTION appointing Kenneth Emge Almon to the Equal Opportunity Advisory Board.

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

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council reappoints:

Kenneth Emge Almon

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

Proposal No. 267, 2001 was retitled COUNCIL RESOLUTION NO. 61, 2001, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2001

A COUNCIL RESOLUTION appointing Curtis Coonrod to the Marion County Community Corrections Advisory Board.

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

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Curtis Coonrod

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

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 182, 2001. Introduced by Councillors Black, Sanders, Conley, Gray, Knox, Langsford, Smith, Talley, and Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes employer/employee cooperation procedures for city and county employees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 277, 2001. Introduced by Councillors Bainbridge and Black. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000,000 in the 2001 Budget of the Marion County Office of Family and Children (Family and Children Fund) to fund the expenditures for the remainder of 2001, financed by proceeds from short term borrowing"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 278, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$95,000 in the 2001 Budgets of County Auditor and Prosecuting Attorney (State and Federal Grants Fund) for DUI

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enforcement in Marion County, funded by a grant from the Governor's Council on Impaired Driving and National Highway Traffic (Local match is \$2,953 and is funded by existing appropriation in the County Auditor's Budget)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 279, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$160,806 in the 2001 Budgets of the County Auditor and Marion County Superior Court (State and Federal Grants Fund) to fund the Marion Superior Court Drug Treatment Diversion Program, funded by a grant from the Indiana Criminal Justice Institute (Byrne Memorial State and Local Law Enforcement Assistance Grant)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 280, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$258,370 in the 2001 Budgets of the County Auditor, Clerk of the Circuit Court, Marion County Public Defender Agency, Prosecuting Attorney, and County Sheriff (County General Fund) to provide support services for the new Initial Hearing Court, financed by fund balances (Support of the Court Mandate)"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Smith made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 280, 2001, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on June 25, 2001.

Councillor Talley seconded the motion, and the Rules were suspended by a unanimous voice vote.

PROPOSAL NO. 281, 2001. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,410,000 in the 2001 Budget of the Department of Capital Asset Management (now Department of Public Works) (Advanced Wastewater Treatment Facilities Reserve Fund) to fund improvements at the City's Advanced Wastewater Treatment Facilities, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 282, 2001. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,075,000 in the 2001 Budget of the Department of Capital Asset Management, Asset Management Division (now Department of Public Works) (Sanitation Liquid Waste Fund) to begin design and study phases of projects related to the Combined Sewer Overflow program, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 283, 2001. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls and multi-way stops in the Moorings Subdivision (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 284, 2001. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the

Meadow Bend Subdivision (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 285, 2001. Introduced by Councillors Black and Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 51st Street and Winthrop Avenue (Districts 6, 7)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 286, 2001. Introduced by Councillor Soards. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Innovation Boulevard and Woodland Drive and at Innovation Boulevard and 79th Street (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 287, 2001. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Vandalia Avenue and Warman Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 288, 2001. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Foltz Street and Oliver Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 289, 2001. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Ray Street and Worth Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 290, 2001. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at St. Clair Street and Tremont Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 291, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 32nd Street and Elmhurst Drive (District 12)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 292, 2001. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Far Hill Road and Roxbury Road (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 293, 2001. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at Midvale Drive and Patricia Street and at Midvale Drive and Thrush Drive (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 294, 2001. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Beauport Road and Falcon Drive (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 295, 2001. Introduced by Councillor Bainbridge. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the lowering of the speed limit on 16th Street, Cunningham Road, and Lynhurst Drive from 35 mph to 30 mph (standard speed limit

on local streets); authorizes a weight limit restriction on 16th Street between Cunningham Road and Lynhurst Drive, and on Cunningham Road between 16th Street and 21st Street (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 296, 2001. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of rush hour parking restrictions on the east side of Illinois Street between Washington Street and New York Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 297, 2001. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the bus stop zone on Ohio Street near Illinois Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 298, 2001. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William Brown to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 307, 2001. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease office space at 5319 South Emerson Avenue for the Franklin Township Assessor"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 308, 2001. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$95,853 in the 2001 Budget of the Franklin Township Assessor (County General Fund) to fund the moving costs and an increase in operating expenses due to relocation, financed by fund balances"; and the President referred it to the Administration and Finance Committee.

Councillor Smith made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 308, 2001, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on June 25, 2001.

Councillor Borst seconded the motion, and the Rules were suspended by a unanimous voice vote.

PROPOSAL NO. 310, 2001. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointments of Jane A. Henegar as the Deputy Mayor for Policy and Carolyn M. Coleman as the Deputy Mayor for Neighborhoods, for terms ending December 31, 2001"; and the President referred it to the Rules and Public Policy Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 300-301, 2001, PROPOSAL NOS. 302-303, 2001, and PROPOSAL NOS. 304-306, 2001. Introduced by Councillor Smith. Proposal Nos. 300-301, 2001, Proposal Nos. 302-303, 2001, and Proposal Nos. 304-306, 2001 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 22, 2001. 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. 74-80, 2001, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 74, 2001.

2000-ZON-172 (Amended)

2424 EAST 10<sup>th</sup> STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

MISSIONARIES OF CHARITY, by James L. Tuohy, requests a rezoning of 0.86 acre, being in the C-2 District, to the SU-7 classification to provide for religious uses to include a homeless shelter for women and children, and an after school program.

REZONING ORDINANCE NO. 75, 2001.

2000-ZON-861 (Amended)

1820-1901 LAWNDALE AVENUE (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19.

DEE WILSON, by Michael J. Kias, requests a rezoning of 5.91 acres, being in the I-3-S District, to the C-S classification to provide for I-3-S uses, hotels, and motels.

REZONING ORDINANCE NO. 76, 2001.

2000-ZON-104

8450 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

MDM INVESTMENTS, INC., by Cameron F. Clark, requests a rezoning of 0.96 acre, being in the D-A (FW)(FF) District, to the C-1 (FW)(FF) classification to provide for commercial uses.

REZONING ORDINANCE NO. 77, 2001.

2001-ZON-030

11007 EAST 21<sup>st</sup> STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

DENNIS L. and MARTHA J. BARKER request a rezoning of 2.066 acres, being in the D-2 District, to the C-1 classification to provide for the development of an office park.

REZONING ORDINANCE NO. 78, 2001.

2001-ZON-009

1416, 1424-1426, and 1427-1433 BLAINE AVENUE, 1605, 1617, and 1621 HOWARD STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 17.

HOLY TRINITY EVANGELICAL ORTHODOX CHURCH, by Steven R. Hall, requests a rezoning of 0.97 acre, being in the C-3 and D-5 Districts, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 79, 2001.

2001-ZON-038

7302 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

JERRY D. and LAUREN R. MARTIN request a rezoning of 0.32 acre, being in the D-3 District, to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 80, 2001.

2001-ZON-039

5860 EAST 25<sup>th</sup> STREET (approximate address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

WAS / DKV an INDIANA PARTNERSHIP requests a rezoning of 4.98 acres, being in the I-2-S District, to the I-3-S classification to provide for industrial uses.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 181, 2001. The proposal, sponsored by Councillors Bainbridge and Black, authorizes the borrowing of \$25,000,000 to fund the anticipated deficit in the Family and Children Fund during the remainder of the 2001 fiscal year. Councillor Bradford stated that the Community Affairs Committee has not yet heard Proposal No. 181, 2001. He moved, seconded by Councillor Nytes, to postpone Proposal No. 181, 2001 until June 25, 2001. Proposal No. 181, 2001 was postponed by a unanimous voice vote.

PROPOSAL NO. 211, 2001. In the absence of Councillor Dowden, Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 211, 2001 on May 23, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$133,000 in the 2001 Budget of the Marion County Superior Court (Alcohol and Drug Services Fund) to fund the renovation of space in the basement of the City-County Building for the drug testing lab, and to purchase computers and furniture, financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 7:54 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Borst, for adoption. Proposal No. 211, 2001 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Bradford, Gibson*

*1 ABSENT: Dowden*

Proposal No. 211, 2001 was retitled FISCAL ORDINANCE NO. 51, 2001, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 51, 2001**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional One Hundred Thirty-three Thousand (\$133,000) in the Alcohol and Drug Services Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Alcohol and Drug Services 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 1.02(cc) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund the renovation of space in the basement of the City-County Building for the drug testing lab, and to purchase computers and furniture.

SECTION 2. The sum of One Hundred Thirty-three Thousand (\$133,000) 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>MARION COUNTY SUPERIOR COURT</u>	<u>ALCOHOL AND DRUG SERVICES FUND</u>
3. Other Services and Charges	105,000
4. Capital Outlay	<u>28,000</u>
TOTAL INCREASE	133,000

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

	<u>ALCOHOL AND DRUG SERVICES FUND</u>
Unappropriated and Unencumbered	
Alcohol and Drug Services Fund	<u>133,000</u>
TOTAL REDUCTION	133,000

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

PROPOSAL NO. 212, 2001. Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 212, 2001 on May 23, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$295,000 in the 2001 Budget of the Marion County Superior Court (Adult Probation Fund) to pay for programming in the JUSTIS system for bookkeeping enhancements, financed by fund balances. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Massie said that he has spoken with Sue Patterson, Chief Financial Officer for the Marion County Superior Court, and he would like to see options explored with the City's contracted subsidiary, Pitney Bowes, in order to realize some savings in this appropriation. He said that Ms. Patterson indicated that a postponement would be acceptable in order to explore possible savings. He moved, seconded by Councillor Smith, to postpone Proposal No. 212, 2001 until June 25, 2001. Proposal No. 212, 2001 was postponed by a unanimous voice vote.

Councillor Smith stated that he was absent from a portion of the last Public Safety and Criminal Justice Committee hearing, and in Councillor Dowden's absence, Councillor Borst will make the Committee report on Proposal Nos. 239, 240, and 242-244, 2001.

Councillor Borst reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 239, 240, 242, and 243, 2001 on May 23, 2001. He asked for consent to vote on these proposals together. Councillor Schneider stated that there is a negative vote recorded on two of the proposals, and these proposals might need to be voted on separately. Councillor Coonrod stated that he cast the negative votes in Committee, but has since had his questions answered and now supports the proposals. Consent was given to vote on Proposal Nos. 239, 240, 242, and 243, 2001 together.

PROPOSAL NO. 239, 2001. The proposal, sponsored by Councillors Dowden and Talley, authorizes the City to issue up to \$15.2 million in bonds for upgrade of the Enhanced 911 System. PROPOSAL NO. 240, 2001. The proposal, sponsored by Councillors Dowden and Talley, approves the appropriation of the proceeds of the bond issue not to exceed \$15.2 million to upgrade the Enhanced 911 System. PROPOSAL NO. 242, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$731,598 in the 2001 Budget of MECA (MECA Fund) to assist in the implementation of a new Enhanced 911 System, financed by a reduction in the MECA Emergency Telephone System Fund. PROPOSAL NO. 243, 2001. The proposal, sponsored by Councillor Dowden, approves an appropriation of \$100,000 in the 2001 Budget of MECA (MECA Fund) to provide contingency funding during the implementation of the new Enhanced 911 System, financed by a reduction in the MECA Emergency Telephone System Fund. By 5-1 votes, the Committee reported Proposal Nos. 239 and 240, 2001 to the Council with the recommendation that they do pass. By 6-0 votes, the Committee reported Proposal Nos. 242 and 243, 2001 to the Council with the recommendation that they do pass.

Councillor Soards stated that he will abstain from voting on these proposals due to a conflict of interest with his employer.

President SerVaas called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal Nos. 239, 240, 242, and 243, 2001 were adopted on the following roll call vote; viz:

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

Proposal No. 239, 2001 was retitled SPECIAL ORDINANCE NO. 4, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 2001

A PROPOSAL FOR A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana (the "City") to issue emergency telephone system revenue bonds in an amount not to exceed Fifteen Million Two Hundred Thousand Dollars (\$15,200,000) and approving and authorizing other actions in respect thereto.

WHEREAS, IC 36-8-16, and all related and supplemental statutes as in effect on the issue date of the 2001 Bonds (defined below), including without limitation IC 5-1-14 and IC 36-2-6-18, 19 and 20 (collectively, "Act"), authorizes the City to issue bonds for the purposes described in IC 36-8-16;

WHEREAS, the City desires to provide for the cost of an upgrade to the City's enhanced emergency telephone system serving the Indianapolis Public Safety Communications Systems and Computer Facilities District and related improvements as further described in Exhibit A ("Project");

WHEREAS, the City-County Council of Indianapolis and of Marion County ("City-County Council") finds and determines that in order to provide funds to be applied on the cost of the Project it will need to borrow money and issue bonds to provide sufficient funds to pay the costs of the Project as permitted by the Act, to fund a debt service reserve and to pay incidental costs associated with the Project and with the issuance of the 2001 Bonds (collectively "Costs of the Project");

WHEREAS, the City-County Council estimates that the total Costs of the Project are at least \$15,200,000 plus investment earnings on proceeds of the 2001 Bonds (as defined in Section 1);

WHEREAS, the Act authorizes the City to pledge the Fees (hereinafter defined) to pay debt service on its obligations issued under the Act and for other purposes under the Ordinance;

WHEREAS, the City has not pledged or otherwise encumbered the Fees, and there are no prior liens, encumbrances or other restrictions on the Fees, or on the City's ability to pledge the Fees;

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the City, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank");

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the 2001 Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank;

WHEREAS, the 2001 Bonds to be issued under Section 2 of this Ordinance are issued pursuant to the authority granted in the Act;

WHEREAS, the City has obtained or will obtain all necessary approvals required by law for the issuance of the 2001 Bonds; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell the 2001 Bonds to the Bond Bank in a negotiated sale; now, therefore,

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

SECTION 1. DEFINITIONS. All terms defined in this Ordinance and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. All terms defined elsewhere in this Ordinance shall have the meaning given in such definition. In this Ordinance, unless a different meaning clearly appears from the context:

"Bond and Interest Account" means the Bond and Interest Account established in Section 8(B) of this Ordinance.

"Bond Bank" means The Indianapolis Local Public Improvement Bond Bank.

"Bond Bank Bonds" means the bonds of the Bond Bank issued to finance the purchase of the 2001 Bonds.

"Bond Bank Trustee" means the trustee for the Bond Bank Bonds.

"Bond Ordinance" or "Ordinance" means this Ordinance, adopted by the City-County Council on June 4, 2001, authorizing the issuance of the 2001 Bonds, as it may be supplemented and amended from time to time in accordance with its provisions.

"Bonds" means the 2001 Bonds and any Parity Obligations.

"Certifier" means an independent certified public accountant who certifies the Fees to be taken into account for purposes of the Parity Obligation test described in Section 10.

"City Controller" or "Controller" means the Controller of the City of Indianapolis, Indiana.

"Code" means the Internal Revenue Code of 1986, as amended and in effect on the date of issuance of the 2001 Bonds and the applicable judicial decisions and published rulings and any applicable regulations promulgated thereunder.

"Debt Service" means the principal of and interest on the Bonds and any fiscal agency charges associated with the Bonds and the collection of Fees for the Bonds.

"Debt Service Reserve Account" means the Debt Service Reserve Account established in Section 8(B) of this Ordinance.

"Debt Service Reserve Requirement" means the least of (i) the maximum annual debt service on the 2001 Bonds, (ii) one hundred twenty-five percent (125%) of the average annual debt service on the 2001 Bonds, or (iii) ten percent (10%) of the proceeds of the 2001 Bonds, within the meaning of Section 148(d) of the Code.

"E911 Fund" means the E911 Fund established in Section 7 of this Ordinance.

"E911 System" means the Marion County Emergency Telephone System.

"Fees" means revenues from the Marion County Emergency Telephone System Fee imposed pursuant to IC 36-8-16.

"Owner" means the registered owner of any Bond.

"Parity Obligations" means additional Bonds issued, or leases entered into, on a parity with the 2001 Bonds under Section 10.

"Paying Agent" means the Paying Agent so designated in accordance with Section 2, or any successor Paying Agent appointed under this Ordinance.

"Purchase Agreement" means the qualified entity purchase agreement between the City and the Bond Bank providing for the sale of the 2001 Bonds to the Bond Bank.

"Registrar" means the Registrar so designated in accordance with Section 2, or any successor Registrar appointed under this Ordinance.

"Revenue Fund" means the Marion County Emergency Telephone System Revenue Fund, a special fund established pursuant to IC 36-8-16-13.

"Sinking Fund" means the Marion County Emergency Telephone System Sinking Fund established in Section 8(B) of this Ordinance.

"State" means the State of Indiana.

"2001 Bonds" means the Bonds authorized in Section 2 of this Ordinance.

SECTION 2. THE BONDS. (A) (1) The City hereby finds that the Costs of the Project constitute costs which may be paid from proceeds of bonds payable from the Fees under the Act, and will benefit the public health and welfare and be of public use and benefit.

(2) For the purpose of procuring funds to be applied to the Costs of the Project, the City shall borrow funds and issue the 2001 Bonds in the name of the City, the aggregate principal amount not to exceed Fifteen Million Two Hundred Thousand Dollars (\$15,200,000) at an aggregate purchase price of not less than 99.5% of the aggregate principal amount of the 2001 Bonds.

(3) The City Controller is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank the 2001 Bonds, payable, as set forth in Section 8, solely out of the Fees and the moneys held in the fund and accounts established under this Ordinance. The 2001 Bonds shall be issued in the name of the City, and shall be designated "Enhanced Emergency Telephone System Revenue Bonds, Series 2001" in the aggregate principal amount not to exceed \$15,200,000. The purchase price of the 2001 Bonds, together with expected investment earnings on the proceeds of the 2001 Bonds, does not exceed the total as estimated by the City of all Costs of the Project.

(B) (1) The 2001 Bonds shall be issued in fully registered form and shall be lettered and numbered separately from one consecutively upward in order of maturity preceded by the letter "R" and with such further or alternate designation as the Registrar may determine. The 2001 Bonds shall be issued in denominations of one dollar or any integral multiples thereof.

(2) The 2001 Bonds shall be dated and accrue interest from the first day of the month in which they are sold or their issue date as determined by the Controller at an average interest rate not to exceed 6.5% per annum to be determined by private negotiation as provided in Section 4. Interest will be payable semiannually on January 1 and July 1, commencing on the first interest payment date that is at least three months after the date of issuance of the 2001 Bonds. Interest on the 2001 Bonds will be calculated on a basis of twelve thirty-day months for a 360-day year. The 2001 Bonds shall mature semiannually and or be subject to mandatory sinking fund redemption on January 1 and July 1 over a period ending no later than 10 years after the issue date of the 2001 Bonds and in such amounts that will produce as level annual debt service as practicable.

(C) The 2001 Bonds are not subject to optional redemption by the City.

(D) Notice of any mandatory sinking fund redemption shall be given at least thirty (30) days prior to the date fixed for redemption by mail unless the notice is waived by the registered Owner of a 2001 Bond. Notice of the redemption of 2001 Bonds, except for any notice that refers to 2001 Bonds that are the subject of an advance refunding, shall be circulated only if sufficient funds have been deposited with a trustee to pay the redemption price of the 2001 Bonds to be redeemed. The notice shall be mailed to the address of the Owners as shown on the registration records of the City and the Registrar. The notice shall specify the date and place of redemption and sufficient identification of the 2001 Bonds called for redemption. The place of redemption shall be the principal corporate trust office of the Registrar and Paying Agent unless the City selects another place. Interest on the 2001 Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the principal corporate office of the Paying Agent to pay the redemption price on the redemption date. Coincidentally with the payment of the redemption price, the 2001 Bonds called for redemption shall be surrendered for cancellation.

(E) The City Controller is hereby authorized to contract with a qualified financial institution or institutions to serve as Registrar and Paying Agent for the 2001 Bonds. The Registrar is hereby charged with the responsibility of authenticating the 2001 Bonds. The City Controller is hereby authorized to enter into

such agreements or understandings with the Registrar and Paying Agent as will enable the institution or institutions to perform the services required of a registrar and paying agent. The City is further authorized to pay from the Fees such fees as the Registrar and Paying Agent may charge for the services provided as Registrar and Paying Agent and such fees may be paid from the Bond and Interest Account as Debt Service in addition to paying the principal of and interest on the 2001 Bonds.

(F) As long as the Bond Bank is the Owner of the 2001 Bonds, the City Controller may serve as Registrar and Paying Agent. If such appointment is made, the City Controller is hereby charged with all of the duties set forth in this Ordinance of the Registrar and Paying Agent.

(G) (1) The 2001 Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar and no 2001 Bond shall be valid or become obligatory for any purpose until the Certificate of Authentication on such 2001 Bond shall have been so executed. Subject to the provisions hereof for registration, the Bonds shall be negotiable under the laws of the State of Indiana.

(2) Each 2001 Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar by the Owner in person, or by its attorney duly authorized in writing, upon surrender of such 2001 Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Owner or its attorney duly authorized in writing, and thereupon a new fully registered 2001 Bond or 2001 Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of 2001 Bonds after the 15th day of the month preceding an interest payment date on any 2001 Bonds until such interest payment date. The Registrar will not be required to (i) register, transfer or exchange any 2001 Bond during the period fifteen days next preceding mailing of a notice of redemption on any 2001 Bonds, or (ii) to register, transfer or exchange any 2001 Bonds selected, called or being called for redemption in whole or in part after mailing notice of such call. The City and the Registrar may treat and consider the person in whose name the 2001 Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon. The 2001 Bonds may be transferred or exchanged without cost to the Owners except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange.

(3) If any 2001 Bond is mutilated, lost, stolen or destroyed, the City may execute and the Registrar may authenticate a new 2001 Bond which in all respects shall be identical to the 2001 Bond which was mutilated, lost, stolen or destroyed including like date, maturity and denomination, except that such new 2001 Bond shall be marked in a manner to distinguish it from the 2001 Bond for which it was issued. In the case of any mutilated 2001 Bond, such mutilated 2001 Bond shall first be surrendered to the City and the Registrar, and, in the case of any lost, stolen or destroyed 2001 Bond, there shall be first furnished to the City and the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. If any such lost, stolen or destroyed 2001 Bond shall have matured, instead of issuing a duplicate 2001 Bond, the City and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The City and the Registrar may charge the Owner of the 2001 Bond with their reasonable fees and expenses in connection with the above. Every substitute 2001 Bond issued by reason of any 2001 Bond being lost, stolen or destroyed shall, with respect to such 2001 Bond, constitute a substitute contractual obligation of the City, whether or not the lost, stolen or destroyed 2001 Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other 2001 Bonds.

(H) The principal and premium, if any, of the 2001 Bonds shall be payable in lawful money of the United States of America upon presentation of the 2001 Bonds at the principal office of the Registrar and Paying Agent. Interest on the 2001 Bonds shall be paid by check mailed one business day prior to the interest payment date to each Owner at the address as it appears on the registration books kept by the Registrar as of the 15th day of the month preceding an interest payment date or at such other address as provided to the Registrar in writing by such Owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).

(I) THE 2001 BONDS DO NOT CONSTITUTE A GENERAL OBLIGATION OF THE CITY, BUT CONSTITUTE A LIMITED OBLIGATION OF THE CITY PAYABLE SOLELY FROM THE FEES OF THE E911 SYSTEM AND THE MONEYS IN THE FUND AND ACCOUNTS CREATED UNDER THIS ORDINANCE.

June 4, 2001

SECTION 3. FORM OF THE BONDS. (A) Form of the 2001 Bonds. The form and tenor of the 2001 Bonds shall be substantially as follows (all blanks to be properly completed prior to the preparation of the 2001 Bonds):

UNITED STATES OF AMERICA  
STATE OF INDIANA  
MARION COUNTY  
CITY OF INDIANAPOLIS

No.

R-

ENHANCED EMERGENCY TELEPHONE SYSTEM REVENUE BOND, SERIES 2001

INTEREST	MATURITY	ORIGINAL	AUTHENTICATION
<u>RATE</u>	<u>RATE</u>	<u>DATE</u>	<u>DATE</u>

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The City of Indianapolis, Indiana ("City"), Indiana, for value received hereby acknowledges itself indebted and promises to pay, but solely out of the Fees (as defined below), to the Registered Owner (named above) or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, and to pay interest on such Principal Amount to the registered owner of this 2001 Bond until the City's obligation with respect to the payment of such Principal Amount shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of authentication of this 2001 Bond unless this 2001 Bond is authenticated on or before December 15, 2001, in which case interest shall be paid from the Original Date, or unless this 2001 Bond is authenticated between the fifteenth of the month preceding an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest shall be payable semiannually on January 1 and July 1 each year, commencing January 1, 2002. Interest shall be calculated on the basis of twelve 30-day months for a 360 day year.

The principal and premium, if any, on this 2001 Bond are payable in lawful money of the United States of America upon presentation of this 2001 Bond at the principal office of the City Controller (the "Registrar" or "Paying Agent"), in the City of Indianapolis or at the principal corporate trust office of any successor paying agent appointed under the Bond Ordinance defined below. Interest on this 2001 Bond shall be paid by check mailed one business day prior to the interest payment date to the registered owner of this 2001 Bond at the address as it appears on the registration books kept by the Registrar as of the 15th of the month preceding an interest payment date or at such other address as is provided to the Registrar in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).

THIS 2001 BOND DOES NOT CONSTITUTE A GENERAL OBLIGATION OF THE CITY OF INDIANAPOLIS, BUT IS PAYABLE SOLELY OUT OF THE FEES (AS DEFINED HEREIN) OF THE MARION COUNTY EMERGENCY TELEPHONE SYSTEM AND MONEYS IN THE FUND AND ACCOUNTS HELD UNDER THE BOND ORDINANCE.

This 2001 Bond is one of an authorized issue of bonds of the City with an aggregate principal amount of \$ \_\_\_\_\_ (the "2001 Bonds") designated "Enhanced Emergency Telephone System Revenue Bonds, Series 2001." The 2001 Bonds are numbered consecutively from R-1 upwards, and are issued pursuant to an ordinance adopted by the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council"), on \_\_\_\_\_, 2001, as Special Ordinance No. \_\_\_\_\_ (the "Bond Ordinance") and in strict compliance with IC 36-8-16 and all related and supplemental acts as in effect on the issue date of the 2001 Bonds, including, without limitation, IC 5-1-14 and IC 36-2-6-18, 19 and 20 (collectively the "Act"), for the purpose of procuring funds to be applied to the costs of an upgrade to the City's enhanced emergency telephone system equipment serving the Indianapolis Public Safety Communications Systems and Computer Facilities District and related improvements ("Project"), to fund a debt service reserve and to pay incidental

costs associated therewith and with the issuance of the 2001 Bonds. The 2001 Bonds and any obligations issued on a parity with the 2001 Bonds under the Bond Ordinance are referred to collectively as the "Bonds."

The 2001 Bonds are all equally and ratably secured by and entitled to the protection of the Bond Ordinance. Additional Bonds may be issued as described below. To secure payment of the Debt Service (as defined in the Bond Ordinance) on all the Bonds and performance of all other covenants of the City under the Bond Ordinance, the City, pursuant to the Bond Ordinance, has pledged the Marion County Emergency Telephone System Fee composed under IC 36-8-16 ("Fees") and moneys in the funds and accounts held under the Bond Ordinance. Reference is hereby made to the Bond Ordinance for a description of the rights, duties and obligations of the City, and the owners of the 2001 Bonds, the terms and conditions upon which the 2001 Bonds are or may be issued and the terms and conditions upon which the 2001 Bonds will be paid at or prior to maturity, or will be deemed to be paid and discharged upon the making of provisions for payment therefor. Copies of the Bond Ordinance are on file at the office of the City-County Council. THE OWNER OF THIS 2001 BOND, BY ACCEPTANCE OF THIS BOND, HEREBY AGREES TO ALL OF THE TERMS AND PROVISIONS IN THE BOND ORDINANCE.

The 2001 Bonds are not subject to redemption prior to maturity at the option of the City.

The 2001 Bonds maturing on \_\_\_\_\_ 1, 20\_\_ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest on \_\_\_\_\_ 1 in accordance with the following schedule:

<u>Year</u>	<u>Principal Amount</u>
-------------	-------------------------

The Trustee shall credit against the mandatory sinking fund requirement for the 2001 Bonds (and corresponding mandatory redemption obligation), as set forth above in order determined by the City any 2001 Bonds of the applicable maturity delivered to the Trustee for cancellation or purchased for cancellation by the Trustee and canceled by the Trustee and not theretofore applied as a credit against any redemption obligation under this Bond Ordinance.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the City and the Registrar at least thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this 2001 Bond. Notice of the redemption of 2001 Bonds, except for any notice that refers to 2001 Bonds that are the subject of an advance refunding, shall be circulated only if sufficient funds have been deposited with a trustee to pay the redemption price of the 2001 Bonds to be redeemed. The notice shall specify the date and place of redemption and sufficient identification of the 2001 Bonds called for redemption. The place of redemption shall be the principal corporate trust office of the Registrar and Paying Agent unless the City selects another place. Interest on the 2001 Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date.

The City reserves the right to authorize and issue additional Bonds payable from the Fees ranking on a parity with the 2001 Bonds ("Parity Obligations") to raise money to pay the Costs of the Project, for future projects which can be financed with obligations payable from the Fees or to refund the 2001 Bonds or Parity Obligations subject to the conditions set forth in the Bond Ordinance.

The City may, without the consent of, or notice to, the owner of this 2001 Bond, adopt a supplemental ordinance to the Bond Ordinance for certain purposes as set forth in the Bond Ordinance. The City-County Council may also amend the Bond Ordinance with bondholder consent as set forth in the Bond Ordinance.

This 2001 Bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of this 2001 Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or its attorney duly authorized in writing, and thereupon a new fully registered 2001 Bond or 2001 Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, therefor.

The 2001 Bonds are issuable only in fully registered form in the denomination of one dollar or any integral multiples thereof not exceeding the aggregate principal amount of the 2001 Bonds maturing in such year.

If this 2001 Bond or a portion thereof shall have become due and payable in accordance with its terms, or shall have been duly called for redemption or irrevocable instructions to call the 2001 Bonds or any portion

June 4, 2001

thereof shall have been given, and the whole amount of the principal of and interest, if any, so due and payable upon this 2001 Bond or a portion thereof then outstanding shall be paid or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) any combination of (i) and (ii) above which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses in connection with the redemption, then and in that case this Bond or such portion thereof shall no longer be deemed outstanding or entitled to the pledge of the fees and the bondholder shall be entitled to look only to the trust for payment of the Bonds.

It is hereby certified, recited and declared that all acts, conditions and things required to be done precedent to and in the execution, issuance, sale and delivery of this 2001 Bond have been properly done, happened and performed in regular and due form as prescribed by law, and that the total indebtedness of the City of Indianapolis, including the 2001 Bonds, does not exceed any constitutional, statutory or local ordinance or ordinance code limitation of indebtedness.

This 2001 Bond shall not be valid or become obligatory for any purpose until the certificate of authentication shall have been duly executed by the authorized representative of the Registrar.

IN WITNESS WHEREOF, the Mayor of the City of Indianapolis has caused this 2001 Bond to be executed by his manual or facsimile signature, countersigned by the City Controller and attested by the manual or facsimile signature of the City Controller, who has caused the seal of the City of Indianapolis to be impressed or a facsimile to be printed on this 2001 Bond.

CITY OF INDIANAPOLIS, INDIANA

By: \_\_\_\_\_  
Mayor

(SEAL)

Attest: \_\_\_\_\_  
City Clerk

Countersigned: \_\_\_\_\_  
City Controller

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the 2001 Bonds described in the within mentioned Bond Ordinance.

\_\_\_\_\_, as Registrar  
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_  
(insert name, address and federal tax identification number)  
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney to transfer the within Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

(B) Form of Parity Obligations. The form of any Parity Obligations shall be set forth in the ordinance approving the issuance of such Parity Obligations.

SECTION 4. SALE OF THE 2001 BONDS. The City Controller is hereby authorized and directed to sell the 2001 Bonds with terms consistent with this Ordinance by negotiated sale to the Bond Bank in accordance with the Purchase Agreement upon terms consistent with this Ordinance.

The Mayor and the City Controller are hereby authorized to execute and deliver the Purchase Agreement with the Bond Bank provided that the terms of the Purchase Agreement are in conformance with the terms of this Ordinance.

The 2001 Bonds shall be delivered by the City Controller to the Bond Bank, provided that the price for the 2001 Bonds, which shall not be less than 99.5% of the par value, is paid for the 2001 Bonds to the Controller, and the Bond Bank delivers an investment letter acceptable to the City and its attorneys.

Prior to the delivery of the 2001 Bonds, the City Controller shall obtain a legal opinion addressed to the City as to the validity of the 2001 Bonds from Ice Miller of Indianapolis, Indiana, bond counsel, and shall furnish such opinion and a customary reliance letter to the Bond Bank. The cost of such opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the 2001 Bonds.

Accrued interest received upon delivery of the 2001 Bonds to the Bond Bank shall be deposited in the Bond and Interest Account and applied to the interest due on the 2001 Bonds on January 1, 2002. All remaining proceeds of the 2001 Bonds shall be deposited in the E911 Fund.

The Mayor and the Controller is hereby authorized to execute and deliver a continuing disclosure undertaking agreement upon delivery of the 2001 Bonds ("Continuing Disclosure Agreement"), if necessary. The City covenants, to the extent permitted by law, that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder. If the City fails to comply with the Continuing Disclosure Agreement, the sole remedy available for such failure shall be for the specific performance of the City's obligations under this paragraph and the Continuing Disclosure Agreement and there shall be no remedies for money damages of any kind or in any amount. This remedy shall be available solely to owners of the 2001 Bonds. The City's failure to honor its covenant herein shall not constitute a breach or default under this Ordinance or any other agreement to which the City is a party. The remedy set forth in this paragraph may be exercised by any holder of the 2001 Bonds in any court of competent jurisdiction in the State of Indiana. An affidavit to the effect that such person is a holder of 2001 Bonds supported by reasonable documentation of such claim shall be sufficient to evidence standing to pursue this remedy. Prior to pursuing any remedy under this paragraph, a holder of 2001 Bonds shall give notice to the City, via registered or certified mail, of such breach and its intent to pursue such remedy. Fifteen (15) days after mailing of such notice, and not before, a holder of 2001 Bonds may pursue such remedy under this paragraph.

SECTION 5. DELIVERY OF INSTRUMENTS. The City-County Council hereby authorizes and directs the Mayor and the City Controller, and each of them, for and on behalf of the City, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as the executing official or Ice Miller determines is necessary or appropriate to consummate the transactions contemplated by this Ordinance, including the Purchase Agreement, and such determination shall be conclusively evidenced by their execution. The instruments, letters, certificates, agreements and documents, including the 2001 Bonds, necessary or appropriate to consummate the transactions contemplated by this Ordinance shall, upon execution, as contemplated herein, constitute the valid and binding obligations or representations and warranties of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 6. EXECUTION OF 2001 BONDS. The Mayor is hereby authorized to execute the 2001 Bonds with his manual or facsimile signature, the City Controller is authorized to countersign with her manual or facsimile signature and the City Controller is hereby authorized and directed to have the 2001 Bonds prepared, and the City Clerk is hereby authorized and directed to attest the 2001 Bonds with her manual or facsimile signature, and cause the seal of the City to be impressed or a facsimile thereof to be printed on the 2001 Bonds, all in the form and manner provided in this Ordinance.

SECTION 7. E911 FUND. (A) Proceeds of the 2001 Bonds deposited in the E911 Fund created hereby shall be held by the City Controller and may be invested only in accordance with IC 5-13, as amended from time to time, and at the direction of the City or its authorized representative. The City Controller shall administer and invest the moneys in the E911 Fund in accordance with this Ordinance and IC 5-13. The

proceeds in the E911 Fund and investment earnings on amounts in the E911 Fund shall be expended only to pay the Costs of the Project upon presentation of claims in accordance with Indiana law.

(B) If, after payment of all claims tendered under the provisions of this Section, there shall remain any funds in the E911 Fund, the City Controller shall transfer all moneys then in the E911 Fund (except moneys reserved to pay any disputed or unpaid claims), as directed by the City-County Council in accordance with IC 5-1-13.

SECTION 8. FLOW OF FUNDS.

(A) Revenue Fund.

The Marion County Emergency Telephone System Revenue Fund is a special fund established pursuant to the Act ("Revenue Fund") into which there shall be deposited upon receipt, all Fees received from the imposition and collection of the Marion County emergency telephone system fee under IC 36-8-16. This fund shall be maintained separate and apart from all other accounts of the City. All moneys deposited in the Revenue Fund may be invested in accordance with IC 5-13.

(B) Sinking Fund

There is hereby created a sinking fund for the payment of the principal of and interest on revenue bonds which by their terms are payable from the Fees of the emergency telephone system, and the payment of any fiscal agency charges in connection with the payment of bonds and interest, which fund shall be designated the Marion County Emergency Telephone System Sinking Fund ("Sinking Fund"). There shall be set aside and deposited in the Sinking Fund, as available, and as provided below, a sufficient amount of the Fees to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account hereby created in the Sinking Fund. Such payments shall continue until the balances in the Bond and Interest Account and the Debt Service Reserve Account equal the principal of and interest on all of the then outstanding bonds which are payable from the Fees of the emergency telephone system to their final maturity.

(1) Bond and Interest Account. Accrued interest received by the City upon delivery of the 2001 Bonds to the Bond Bank shall be deposited in the Bond and Interest Account. On the first day of each month beginning on July 1, 2001, the City shall deposit in the Bond and Interest Account from Revenue Fund an amount of Fees which is equal to at least 1/6 the principal and interest payable on the Bonds on the next payment date. No deposit need be made into the Bond and Interest Account to the extent that the amount contained therein is at least equal to the aggregate amount of Debt Service to become due and payable on all outstanding Bonds on the next payment date. All money in the Bond and Interest Account shall be used and withdrawn solely for the purpose of paying Debt Service on the Bonds, as they shall become due and payable (including accrued interest on any Bonds redeemed prior to maturity).

(2) Debt Service Reserve Account. Subject to the provisions set forth below in this Section 8(B)(2), the City shall deposit an amount equal to the Debt Service Reserve Requirement from proceeds of the 2001 Bonds into the Debt Service Reserve Account on the issue date of the Bonds. For so long as the Bond Bank holds the 2001 Bonds, the City may, in its discretion, cause any amounts in the Debt Service Reserve Account to be held by the Bond Bank Trustee in a debt service reserve fund established for the Bond Bank Bonds, and in such event, so long as the 2001 Bonds are held by the Bond Bank, the Bond Bank Trustee shall administer and invest the moneys in the fund held by the Bond Bank Trustee in accordance with this Ordinance and the trust indenture securing the Bond Bank Bonds. For so long as the Bond Bank holds the 2001 Bonds, the City shall for all purposes of this Ordinance be permitted to offset its obligation under this Ordinance to maintain a balance in the Debt Service Reserve Account equal to the Debt Service Reserve Requirement by any amounts on deposit with the Bond Bank Trustee in the debt service reserve fund for the Bond Bank Bonds. If the 2001 Bonds are not held by the Bond Bank, the City shall hold such funded reserve for the purposes set forth herein or purchase a debt service reserve surety for that purpose. To the extent principal of or interest on the 2001 Bonds is paid from such reserve, the City shall be credited with making such payments and any obligations under this Bond Ordinance paid thereby shall be deemed satisfied. Moneys deposited and maintained in the Debt Service Reserve Account and allocated to the 2001 Bonds shall never exceed the Debt Service Reserve Requirement for the 2001 Bonds. The Debt Service Reserve Account shall constitute a margin for safety and serve as protection against default in the payment of principal of and interest on the 2001 Bonds, and the moneys in the Debt Service Reserve Account shall be used only to pay current principal and interest on the 2001 Bonds currently due and payable to the extent that moneys in the Bond and Interest Account are insufficient for that purpose.

If moneys in the Debt Service Reserve Account are transferred to the Bond and Interest Account to pay principal and interest on the 2001 Bonds (or, alternatively, if moneys in the debt service reserve fund held by the Bond Bank Trustee are transferred to the debt service fund for the Bond Bank Bonds to pay principal of and interest on the Bond Bank Bonds), the depletion of the balance in the Debt Service Reserve Account (or

in the debt service reserve fund held by the Bond Bank Trustee) shall be made up from the next available Fees after the required deposits to the Bond and Interest Account are made. Any moneys in the Debt Service Reserve Account in excess of the Debt Service Reserve Requirement will be immediately deposited in the Bond and Interest Account to meet the requirements of Section 8(B)(1) for the 2001 Bonds.

In computing the amount in the Debt Service Reserve Account and compliance with the Debt Service Reserve Requirement, obligations purchased as an investment of moneys held in such Account shall be valued at their amortized costs.

The City, upon the advice of the financial advisor for the Bond Bank Bonds, hereby finds that funding the Debt Service Reserve Account is reasonably required and that the Debt Service Reserve Requirement is no larger than necessary to sell the 2001 Bonds to the Bond Bank and to market the Bond Bank Bonds.

Notwithstanding any other provision of this Ordinance, the City shall be permitted to satisfy the debt service reserve requirements set forth herein by means of a surety bond.

#### SECTION 9. PLEDGE OF FEES, FUNDS AND ACCOUNTS.

The 2001 Bonds, and any Bonds ranking on a parity therewith, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a first charge upon the Fees and from moneys in the funds and accounts established under this Ordinance, including the E911 Fund, the Sinking Fund and the Revenue Fund. The City shall not be obligated to pay the 2001 Bonds or the interest thereon except from the Fees, and the 2001 Bonds shall not constitute an indebtedness or general obligation of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

The City represents and warrants that there are no prior liens, encumbrances or other restrictions on the Fees, or on the City's ability to pledge the Fees to the 2001 Bonds.

SECTION 10. ISSUANCE OF ADDITIONAL BONDS. The City reserves the right to authorize and issue Parity Obligations for the purpose of raising money for additional Costs of the Project, for future projects which can be financed with obligations payable from the Fees, or to refund the 2001 Bonds or Parity Obligations. If any Parity Obligations are issued pursuant to this Section 10, the term "Bonds" in this Bond Ordinance shall, unless the context otherwise requires, be deemed to refer to the 2001 Bonds and such Parity Obligations. The authorization and issuance of Parity Obligations shall be subject to the following conditions precedent:

(a) All interest and principal payments with respect to the 2001 Bonds and all Parity Obligations, payable from the Fees shall be current to date in accordance with their terms, with no payment in arrears;

(b) The City shall have received a certificate prepared by a Certifier certifying the amount of the Fees received in any twelve consecutive calendar months out of the most recent eighteen calendar months, which amount shall be at least equal to one hundred twenty-five percent (125%) of the annual Debt Service requirements with respect to the outstanding Bonds and the proposed Parity Obligations for each year during the term of the outstanding Bonds. If, when the Parity Obligations are issued, the body with final authority over such matters shall have finally approved an increase in the rate at which the Fees are imposed and the increased rate or rates shall be in effect, but shall not have been in effect for the entire twelve month period described above, the Certifier may adjust the amount of the Fees used to determine the percentage described in the preceding sentence to take into account the increased Fees that would have been collected if the increased rate or rates had been in effect for the entire twelve month period. If the City-County Council shall have finally approved an increase in the Fees pledged to the Bonds under the Bond Ordinance, the Certifier may adjust the amount of the Fees used above to take into account the increased Fees pledged to the Bonds.

(c) Principal of and interest on any Parity Obligations or junior bonds shall be payable semiannually on January 1 and July 1.

The City-County Council shall approve and confirm the findings and estimates set forth in the above-described certificate in any ordinance authorizing the issuance of Parity Bonds. Except as provided in this Ordinance, the terms and conditions of any Parity Obligations shall be set forth in the ordinance authorizing the issuance of such Parity Obligations.

SECTION 11. TAX COVENANTS AND REPRESENTATIONS. (A) In order to preserve the exclusion from gross income of interest on the 2001 Bonds under the Code and as an inducement to the Bond Bank the City represents, covenants and agrees that:

(1) The Project will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the City or another state or local governmental unit will use more than 10% of the proceeds of the 2001 Bonds or property financed by the 2001 Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed by 2001 Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the 2001 Bonds. If the City enters into a management contract for the Project, the terms of the contract will comply with IRS Revenue Procedure 97-13, as it may be amended, supplemented or superseded from time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the 2001 Bonds.

(2) No more than 10% of the principal of or interest on the 2001 Bonds is (under the terms of the 2001 Bonds, this Ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any private business use or payments in respect of such property or to be derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(3) No more than 5% of the 2001 Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the 2001 Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the 2001 Bond proceeds.

(4) The City reasonably expects, as of the date hereof, that the 2001 Bonds will not meet either the private business use test described in paragraph (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the 2001 Bonds.

(5) No more than 5% of the proceeds of the 2001 Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any governmental use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(6) The City will not take any action nor fail to take any action with respect to the 2001 Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the 2001 Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion. The City covenants and agrees not to enter into any contracts or arrangements which would cause the 2001 Bonds to be treated as private activity bonds under Section 141 of the Code.

(7) It shall be not an event of default under this Ordinance if the interest on any 2001 Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the respective dates of issuance of the 2001 Bonds.

(8) These covenants are based solely on current law in effect and in existence on the dates of delivery of such 2001 Bonds.

(A) Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the 2001 Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the City receives an opinion of nationally recognized bond counsel that compliance with any Tax Section is unnecessary to preserve the Tax Exemption.

(B) Any Parity Obligations will be subject to the tax covenants set forth in the ordinance authorizing the issuance of such Parity Obligations.

SECTION 12. CONTRACTUAL NATURE OF THIS ORDINANCE AND RATE COVENANT. (a) The provisions of this Ordinance shall constitute a contract by and between the City and the Owners of the

2001 Bonds. After the issuance of the 2001 Bonds, this Ordinance or the definition of, the manner of collecting and distributing, or pledge of the Fees or the lien created by this Ordinance, shall not be repealed or amended (except as specifically provided in Sections 14 and 15), or impaired in any respect which will materially adversely affect the rights of Owners of the 2001 Bonds, nor shall the City adopt any law, resolution, order or ordinance which in any way materially adversely affects the rights of such Owners so long as any of the 2001 Bonds or the interest thereon remains unpaid.

(b) The City will take no action to rescind the Fees or to reduce the Fees below their present level.

(c) The City covenants and agrees that it will establish and maintain just and equitable Fees for the use of and the service provided by the Marion County Emergency Telephone System, to be paid by the service user of each exchange access facility (as such terms are defined in the Act); that to the extent permitted by IC 36-8-16 such Fees shall be sufficient in each year for the payment of the sums required to be paid into the Sinking Fund by this Ordinance. Such Fees shall, if necessary, be changed and readjusted from time to time, within the limitations imposed by the Act, as amended from time to time, so that the Fees shall always be sufficient to meet the requirements of the Sinking Fund.

(d) The City shall at all times maintain its E911 System in good condition and operate the same in an efficient manner and at a reasonable cost and shall enforce collection of the Fees as provided in the Act.

(e) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the 2001 Bonds herein authorized for the uses and purposes herein set forth, and the Owners of the 2001 Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and the governing Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the Fees herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said Fund as in this Ordinance set forth. The Owners of the 2001 Bonds shall have all of the rights, remedies and privileges under Indiana law in the event of default in the payment of the principal of or interest on any of the 2001 Bonds herein authorized or in the event of default in respect to any of the provisions of this Ordinance or the governing Act.

SECTION 13. DEFEASANCE OF 2001 BONDS. If, when the 2001 Bonds or any portion thereof, shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the 2001 Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the 2001 Bonds or any portion thereof then outstanding shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) any combination of (i) and (ii) above which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the 2001 Bonds or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of Fees and the bondholders shall be entitled to look only to the trust for payment of the 2001 Bonds.

No such deposit shall be deemed a payment of such 2001 Bonds unless the City shall have received a verification from an independent certified public accountant or firm of independent certified public accountants appointed by the Controller verifying the sufficiency of the deposit to pay the principal of and interest on the 2001 Bonds to the due date.

SECTION 14. AMENDING SUPPLEMENTAL ORDINANCES. The City-County Council may, without the consent of, or notice to, any of the Owners of the Bonds, adopt a supplemental ordinance for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in this Ordinance;
- (b) To grant to or confer upon the Owners of the Bonds any additional benefits, rights, remedies, powers or authorities that may lawfully be granted to or conferred upon the Owners of the Bonds;
- (c) To modify, amend or supplement this Ordinance to permit the qualification of the Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America or the qualification of this Ordinance under the Trust Indenture Act of 1939 or any similar federal statute hereafter in effect if such modification, amendment or supplement will not have a material adverse effect on the Owners of the Bonds;
- (d) To provide for the refunding or advance refunding of all or a portion of the Bonds;
- (e) To provide for the issuance of Parity Obligations by the City;
- (f) To appoint a successor Registrar or Paying Agent;
- (g) Any other purpose which in the judgment of the Mayor and the City-County Council does not adversely affect the interests of the Owners of the Bonds in any material way; and

- (h) To amend the Ordinance to permit the City to comply with any future federal tax law or any covenants contained in any supplemental ordinance with respect to compliance with future federal tax law.

SECTION 15. CONSENT TO SUPPLEMENTAL ORDINANCES. The Owners of not less than fifty-one percent (51%) in aggregate principal amount of the Bonds then outstanding who are, in the sole judgment of the Mayor and the City-County Council, affected shall have the right, from time to time, anything contained in the Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City-County Council of such supplemental ordinances as shall be deemed necessary and desirable by the City-County Council for the purpose of modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in this Ordinance or in any supplemental ordinance other than those provisions covered by Section 14; provided however, that nothing in this Section contained shall permit, or be construed as permitting, without the consent of the Owners of all the then outstanding Bonds affected, any of the following: (a) an extension of the maturity or mandatory sinking fund redemption schedule, if any, of the principal of and interest on any bonds payable from the Fees (b) a reduction in the principal amount of any Bond or change in the rate of interest, (c) a privilege or priority of any Bond or Bonds over any other Bond or Bonds, (d) a reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance, (e) the creation of any lien securing any Bonds other than a lien ratably securing all of the Bonds at any time outstanding hereunder; (f) a change in the method of accrual of interest on any Bonds; or (g) a reduction in the Debt Service Reserve Requirement.

If at any time the City-County Council desires to adopt a supplemental ordinance for any of the purposes set forth in this Section, the Controller shall cause notice of the proposed adoption of such supplemental ordinance to be mailed by registered or certified mail to each Owner of a Bond at the address shown on the registration books maintained by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that copies thereof are on file at its office for inspection by all Owners of Bonds. If, within 60 days, or such longer period as shall be prescribed by the City-County Council, following the mailing of such notice, the Owners of not less than fifty-one percent (51%) in aggregate principal amount of the Bonds outstanding at the time of the execution of any such supplemental ordinance shall have consented to and approved the execution of such supplemental ordinance, no Owner of any Bond shall have any right to object to any of the terms and provisions contained therein, or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City from adopting the same or from taking any action pursuant to the provisions thereof. Upon the adoption of any such supplemental ordinance as is permitted and provided by this Section, this Ordinance shall be and be deemed to be modified and amended in accordance therewith.

Any consent, request, direction, approval, objection or other instrument required by this Ordinance to be signed and executed by the Owners of the Bonds may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners of the Bonds in person or by agent appointed in writing. Proof of the execution of any such consent, request, direction, approval, objection or other instrument or of the writing appointing any such agent and of the ownership of the Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Ordinance, and shall be conclusive in favor of the City with regard to any action taken by it or them under such request or other instrument, namely:

- (a) The fact and date of the execution by any person of any such writing may be proved (i) by the certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such writing acknowledged before him the execution thereof, or (ii) by an affidavit of any witness to such execution.

- (b) The fact of ownership of Bonds and the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the registration books maintained by the Registrar.

SECTION 16. REGISTRAR AND PAYING AGENT. (1) The Registrar and Paying Agent may execute any of the powers hereof and perform any of its duties by or through attorneys, agents, receivers or employees but shall be answerable for the conduct of the same in accordance with the standard specified above, and shall be entitled to advice of counsel concerning all matters of trusts hereof and the duties hereunder, and may in all cases pay such reasonable compensation to all such attorneys, agents, receivers and employees as may reasonably be employed in connection with the trusts hereof. The Registrar and Paying Agent may act upon the opinion or advice of any attorneys (who may be the attorney or attorneys for the City), approved by the Registrar and Paying Agent, as applicable, in the exercise of reasonable care. The Registrar and Paying Agent shall not be responsible for any loss or damage resulting from any of their respective action or nonaction in good faith in reliance upon such opinion or advice.

- (2) The Registrar and Paying Agent shall not be responsible for any recital herein or in the 2001 Bonds, except that the Registrar and Paying Agent shall be responsible for the Certificate of Authentication required by this Ordinance, or for the validity of the execution by the City-County Council of this Ordinance

or of any supplements hereto or instruments of further assurance, or for the sufficiency of the security for the Bonds issued hereunder or intended to be secured hereby.

(3) The Registrar and Paying Agent shall not be accountable for the use of any 2001 Bond authenticated or delivered hereunder. The Registrar and Paying Agent may become the Owner of any 2001 Bond secured hereby with the same rights which it would have if not the Registrar and Paying Agent, respectively and any Bond owned by the Registrar and Paying Agent shall be deemed outstanding unless cancelled pursuant to the provisions hereof.

(4) The Registrar and Paying Agent shall be protected in acting upon any notice, request, consent, certificate, order, affidavit, letter, telegram or other paper or document reasonably believed to be genuine and correct and to have been signed or sent by the proper person or persons. The Registrar and Paying Agent shall not withhold unreasonably its consent, approval or action to any reasonable request of the City. Any action taken by the Registrar and Paying Agent pursuant to this Ordinance upon the request or consent of any person who at the time of making such request or giving such consent is the Owner of any of the 2001 Bonds, shall be conclusive and binding upon all future Owners of the 2001 Bonds and upon Owners of any 2001 Bonds issued in exchange therefor or in place thereof.

(5) As to the existence or nonexistence of any fact or as to the sufficiency or validity of any instrument, paper or proceeding, the Registrar and Paying Agent shall be entitled in good faith to rely upon a certificate signed by an Authorized Representative as sufficient evidence of the facts therein contained and shall also be at liberty to accept a similar certificate to the effect that any particular dealing, transaction or action is necessary or expedient but may at its discretion secure such further evidence deemed necessary or advisable, but shall in no case be bound to secure the same. The Registrar and Paying Agent may accept a certificate of an Authorized Representative to the effect that a resolution or ordinance in the form therein set forth has been adopted by the City-County Council as conclusive evidence that such resolution or ordinance has been duly adopted and is in full force and effect.

(6) The permissive right of the Registrar and Paying Agent to do things enumerated in this Ordinance shall not be construed as a duty and neither shall be answerable for other than their respective negligence or willful default.

(7) At any and all reasonable times the Registrar and Paying Agent and its duly authorized agents, attorneys, experts, engineers, accountants and representatives shall have the right to inspect any and all of the books, papers and records of the City pertaining to the revenues and receipts pledged to the payment of the 2001 Bonds, and to take such memoranda from and in regard thereto as may be desired.

(8) The Registrar and Paying Agent shall not be required to give any bond or surety in respect of the execution of such trusts and powers or otherwise in respect of the premises.

(9) Notwithstanding anything elsewhere in this Ordinance, the Registrar and Paying Agent shall have the right, but shall not be required, to demand, in respect of the authentication of any 2001 Bonds, the withdrawal of any cash, or any action whatsoever within the purview of this Ordinance, any showings, certificates, opinions, appraisals or other information, or corporate action or evidence thereof, in addition to that by the terms hereof required as a condition of such action, deemed desirable by the Registrar and Paying Agent for the purpose of establishing the right of the City to the authentication of the Bonds, the withdrawal of any cash or the taking of any other action by the Registrar and Paying Agent.

(10) All moneys received by the Paying Agent shall, until used, applied or invested as herein provided, be held in trust for the purposes for which they were received but need not be segregated from other funds except to the extent required by law. The Paying Agent shall not be under any liability for interest on any moneys received hereunder except such as may be agreed upon.

(A) The Registrar and Paying Agent shall be entitled to payment and reimbursement for reasonable fees for their services rendered hereunder and all advances, counsel fees and other expenses reasonably and necessarily made or incurred by the Registrar and Paying Agent in connection with such services, but solely from moneys available therefor under the Ordinance or, to the extent permitted by law, pursuant to Section 8.

(B) The Registrar and Paying Agent or any successor Registrar and Paying Agent may at any time resign from the trusts hereby created by giving 30 days' written notice by registered or certified mail to the Mayor, City Controller, and the Owners of the Bonds, and such resignation shall take effect upon the appointment of a successor Registrar and Paying Agent in accordance with subsection (D) and acceptance of such appointment by the successor Registrar and Paying Agent. If the Controller fails to appoint a successor Registrar and Paying Agent within 60 days of receipt of notice of the Registrar and Paying Agent's resignation, the Registrar and Paying Agent may petition a court of competent jurisdiction to appoint a successor Registrar and Paying Agent.

(C) The Registrar and Paying Agent may be removed at any time with or without cause by an instrument or concurrent instruments in writing delivered to the Registrar and Paying Agent and to the Mayor and City Controller and signed by the Owners of a majority of the aggregate principal amount of the outstanding Bonds or their attorneys-in-fact duly authorized. Notice of the removal of the Registrar and Paying Agent shall be given in the same manner as provided in subsection (B) with respect to the resignation of the Registrar and Paying Agent and such removal shall take effect upon the appointment of a successor Registrar and Paying Agent. The Controller shall appoint a successor Registrar and Paying Agent immediately upon the removal of the Registrar and Paying Agent. The Registrar and Paying Agent may be removed at any time, upon appointment of a successor Registrar and Paying Agent by order of the Mayor filed with the successor Registrar and Paying Agent.

(D) If the Registrar and Paying Agent shall resign or be removed, or be dissolved, or shall be in course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case it shall be taken under the control of any public officer or officers, or of a receiver appointed by a court, a successor may be appointed by the Owners of a majority of the aggregate principal amount of all 2001 Bonds then outstanding by an instrument or concurrent instruments in writing signed by the Owners or by their attorneys-in-fact duly authorized, a copy of which shall be delivered personally or sent by registered or certified mail to the City. Nevertheless, in case of such vacancy the Controller by order may appoint a temporary Registrar and Paying Agent to fill such vacancy. Within ninety (90) days after such appointment, the Owners may appoint a successor temporary Registrar and Paying Agent; and any such temporary Registrar and Paying Agent so appointed by the Controller shall become the successor Registrar and Paying Agent if no appointment is made by the Owners within such period but if an appointment is made by the Owners, such appointment shall immediately and without further act be superseded by any Registrar and Paying Agent so appointed by such Owners. Notice of the appointment of a temporary or successor Registrar and Paying Agent, shall be given in the same manner as provided by subsection (B) with respect to the resignation of a Registrar and Paying Agent. Every such Registrar and Paying Agent appointed pursuant to the provisions of this Section shall be a trust company or bank having a reported capital and surplus of not less than \$50,000,000, if there be such an institution willing, qualified and able to accept the trust upon reasonable or customary terms.

(E) Every successor Registrar and Paying Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor and also to the Mayor and City Controller an instrument in writing accepting such appointment hereunder, and thereupon such successor, without any further act, deed or conveyance, shall become fully vested with all the estates, properties, rights, powers, trusts, duties and obligations of its predecessors; but such predecessor shall, nevertheless, on the written request of the City Controller, after the payment of all fees, charges and expenses which may be due and owing to such predecessor pursuant to the provisions of subsection (B), execute and deliver an instrument transferring to such successor Registrar and Paying Agent all the estates, properties, rights, powers and trusts of such predecessor hereunder; and every predecessor Registrar and Paying Agent shall deliver all securities, moneys and other property or documents held by it as Registrar and Paying Agent to its successor hereunder. Should any instrument in writing from the Mayor or City Controller be required by any successor Registrar and Paying Agent for more fully and certainly vesting in such successor the estate, rights, powers and duties hereby vested or intended to be vested in the predecessor any and all such instruments in writing shall, on request, be executed, acknowledged and delivered by the Mayor or City Controller.

SECTION 17. NOTICES. Any notice, request, complaint, demand, communication or other paper shall be sufficiently given when delivered or mailed by registered or certified mail, postage prepaid, or sent by telegram, addressed to the appropriate Notice Address. The City, the Registrar and Paying Agent may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

SECTION 18. BUSINESS DAYS. If the date of maturity of interest on or principal of the 2001 Bonds or the date fixed for redemption of any 2001 Bonds shall be a Saturday, Sunday or a day on which banking institutions located in Indianapolis, Indiana, or the city in which the principal corporate trust office of the Registrar and Paying Agent is located are required or authorized by law to close then payment of interest or

principal may be made on the succeeding business day with the same force and effect as if made on the date of maturity.

SECTION 19. SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 20. REPEAL OF CONFLICTING PROVISIONS. All ordinances, resolutions and orders, or parts thereof, in conflict with the provision of this Ordinance, are, to the extent of such conflict, hereby repealed or amended.

SECTION 21. EFFECTIVE DATE. This Special Ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A  
DESCRIPTION OF PROJECT

To upgrade the E911 System in Indianapolis and Marion County. The project will provide an integrated workstation to each 911 operator in the seven communications centers served by the Metropolitan Emergency Communications Agency (MECA). The upgraded E911 System will provide the ability to locate wireless emergency calls as well as the location of wired phones. The Project includes all phases of implementation, operation, and ten years of maintenance.

Proposal No. 240, 2001 was retitled FISCAL ORDINANCE NO. 52, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 2001

A PROPOSAL FOR A FISCAL ORDINANCE appropriating the proceeds of the City of Indianapolis ("City") Enhanced Emergency Telephone System Revenue Bonds, Series 2001 ("Bonds").

WHEREAS, the City-County Council of Indianapolis, Indiana and of Marion County, Indiana ("Council") has determined to issue bonds to provide for the cost of an upgrade to the City's enhanced emergency telephone system ("Project"), funding a debt service reserve, if necessary, and payment of the incidental expenses in connection therewith and on account of the issuance of the Bonds; and

WHEREAS, a notice of a public hearing on the appropriation of the proceeds of the Bonds in an amount not to exceed Fifteen Million Two Hundred Thousand Dollars (\$15,200,000) plus investment earnings to be issued for the purpose of procuring funds to be applied on the cost of the Project, funding a debt service reserve, if necessary and payment of the incidental expenses to be incurred in connection therewith and with the issuance and sale of the Bonds was properly published in two newspapers published in the City and the proofs of publication were presented to the Council and placed in the Council's records; now, therefore:

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

SECTION 1. An appropriation in an amount not to exceed Fifteen Million Two Hundred Thousand Dollars (\$15,200,000) plus investment earnings is hereby made to be applied on the costs of the Project, funding a debt service reserve, if necessary and payment of the incidental expenses incurred in connection therewith and on account of the issuance of Bonds therefor, and that the funds to meet this appropriation be provided out of the proceeds of the Bonds and investment earnings; that this appropriation be in addition to all other appropriations provided for in the existing budget and tax levy for the current year.

SECTION 2. The Controller is hereby authorized and directed to report and certify the additional appropriation to the State Board of Tax Commissioners.

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

Proposal No. 242, 2001 was retitled FISCAL ORDINANCE NO. 53, 2001, and reads as follows:

June 4, 2001

CITY-COUNTY FISCAL ORDINANCE NO. 53, 2001

A FISCAL ORDINANCE amending the Annual Budget of the Metropolitan Emergency Communications Agency for 2001 (City-County Fiscal Ordinance No. 103, 2000) by appropriating an additional Seven Hundred Thirty-one Thousand Five Hundred and Ninety-eight Dollars (\$731,598) in the Metropolitan Emergency Communications Agency Fund for purposes of the Metropolitan Emergency Communications Agency, and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Agency 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 Metropolitan Emergency Communications Agency Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to assist in implementing a new Enhanced 9-1-1 system.

SECTION 2. The sum of Seven-Hundred Thirty-one Thousand, Five Hundred and Ninety-eight Dollars (\$731,598) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u>	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
3. Other Services and Charges	<u>731,598</u>
TOTAL INCREASE	<u>731,598</u>

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

	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY EMERGENCY TELEPHONE SYSTEM FUND</u>
Unappropriated and Unencumbered Metropolitan Emergency Communications Agency Emergency Telephone System Fund	<u>731,598</u>
TOTAL REDUCTION	<u>731,598</u>

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

Proposal No. 243, 2001 was retitled FISCAL ORDINANCE NO. 54, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 2001

A FISCAL ORDINANCE amending the Annual Budget of the Metropolitan Emergency Communications Agency for 2001 (City-County Fiscal Ordinance No. 103, 2000) by appropriating an additional One-Hundred-Thousand Dollars (\$100,000) in the Metropolitan Emergency Communications Agency Fund for purposes of the Metropolitan Emergency Communications Agency, and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Agency 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 Metropolitan Emergency Communications Agency Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to provide contingency funding during the implementation of the new Enhanced 9-1-1 system.

SECTION 2. The sum of One-Hundred-Thousand Dollars (\$100,000) 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 increased appropriation is hereby approved:

<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u>	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
3. Other Services and Charges	70,000
4. Capital Outlay	<u>30,000</u>
TOTAL INCREASE	100,000

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

	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY EMERGENCY TELEPHONE SYSTEM FUND</u>
Unappropriated and Unencumbered Metropolitan Emergency Communications Agency Emergency Telephone System Fund	<u>100,000</u>
TOTAL REDUCTION	100,000

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

PROPOSAL NO. 244, 2001. Councillor Borst reported that the Public Safety and Criminal Justice Committee heard Proposal No. 244, 2001 on May 23, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$10,123 in the 2001 Budget of MECA (MECA Fund) for reimbursement for expenditures made on behalf of various law enforcement agencies, financed by a reduction in fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 244, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 244, 2001 was retitled FISCAL ORDINANCE NO. 55, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 2001

A FISCAL ORDINANCE amending the Annual Budget of the Metropolitan Emergency Communications Agency for 2001 (City-County Fiscal Ordinance No. 103, 2000) by transferring and appropriating an additional Ten Thousand One Hundred Twenty-three Dollars (\$10,123) in the Metropolitan Emergency Communications Agency Fund for purposes of the Metropolitan Emergency Communications Agency and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Agency Fund.

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

SECTION 1. To provide for reimbursement of expenditures, the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Metropolitan Emergency Communications Agency Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to be reimbursed for expenditures made on behalf of various law enforcement agencies.

SECTION 2. The sum of Ten-Thousand One-Hundred Twenty-three Dollars (\$10,123) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u>	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
2. Supplies	<u>10,123</u>
TOTAL INCREASE	10,123

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

	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
Unappropriated and Unencumbered Metropolitan Emergency Communications Agency Fund	<u>10,123</u>
TOTAL REDUCTION	10,123

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

Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 245-251, 2001 on May 23, 2001. He asked for consent to vote on Proposal Nos. 245-247 and 249-251, 2001 together. Councillor Schneider said that he would like to have a separate vote on Proposal No. 247, 2001. Consent was given to vote on Proposal Nos. 245, 246, and 249-251, 2001 together.

PROPOSAL NO. 248, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$445,100 in the 2001 Budgets of the County Auditor and Marion County Justice Agency (State and Federal Grants Fund) to appropriate federal grant funds for Metro Drug Task Force, funded by a grant through the Indiana Criminal Justice Institute (Byrne Memorial Fund) (Local cash match is \$441,935 and is coming from IPD's State Law Enforcement Fund Share). Councillor Smith stated that Proposal No. 248, 2001 was postponed in Committee. He moved, seconded by Councillor Massie, to postpone Proposal No. 248, 2001 until June 25, 2001. Proposal No. 248, 2001 was postponed by a unanimous voice vote.

PROPOSAL NO. 245, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$645,000 in the 2001 Budgets of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to appropriate the federal Block Grant V for activities by these agencies that will be beneficial to the community (this block grant has a 10% match which will be covered by IPD). PROPOSAL NO. 246, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$10,000 in the 2001 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to continue funding a part-time position to assist the Street Level Advocacy Unit, financed by federal funding (US Housing and Urban Development Department through the Indianapolis Police Department). PROPOSAL NO. 249, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$70,000 in the 2001 Budgets of the County Auditor and Community Corrections (Community Corrections Home Detention Fund) to fund one and a half pre-trial detention officer positions and to lease home detention equipment, financed by fund balances. PROPOSAL NO. 250, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$45,000 in the 2001 Budget of Community Corrections (State and Federal Grants Fund) to assist with the completion of the Community Court Project, funded by a grant from the Indiana Department of Corrections. PROPOSAL NO. 251, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$92,712 in the 2001 Budget of Community Corrections (State and Federal Grants Fund) to fund a substance abuse treatment program, financed by a federal grant (\$30,000 of matching funds will be coming from the Drug Free Community Fund). By 7-0 votes, the Committee reported Proposal Nos. 245, 246, 250, and

251, 2001 to the Council with the recommendation that they do pass and Proposal No. 249, 2001 to the Council with the recommendation that it do pass as amended.

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 249, 2001, be amended by adding the following text at the end of Section 1: *and to lease home detention equipment.*

Councillor Borst seconded the motion, and Proposal No. 249, 2001 was amended by a unanimous voice vote.

President SerVaas called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Massie, for adoption. Proposal Nos. 245, 246, 250, and 251, 2001 and Proposal No. 249, 2001, as amended, were adopted on the following roll call vote; viz:

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

Proposal No. 245, 2001 was retitled FISCAL ORDINANCE NO. 56, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Six Hundred Forty-five Thousand Dollars (\$645,000) in the State and Federal Grants Fund for purposes of the County Auditor, County Sheriff, Prosecuting Attorney, and Marion County Superior Court 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 1.02(b,v,y,cc) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Sheriff, Prosecuting Attorney, and Marion County Superior Court to appropriate Block Grant V from Indianapolis Police Department.

SECTION 2. The sum of Six Hundred Forty-five Thousand Dollars (\$645,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>74,130</u>
TOTAL INCREASE	74,130
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	<u>350,870</u>
TOTAL INCREASE	350,870
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	<u>170,000</u>
TOTAL INCREASE	170,000

MARION COUNTY SUPERIOR COURT

3. Other Services and Charges	<u>50,000</u>
TOTAL INCREASE	50,000
 TOTAL FOR ALL AGENCIES	 645,000

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>645,000</u>
TOTAL REDUCTION	645,000

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. 246, 2001 was retitled FISCAL ORDINANCE NO. 57, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Ten Thousand Dollars (\$10,000) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney to continue funding a part time position to assist the Street Level Advocacy Unit's project activities including nuisance abatement issues through the Byrne Court/East Washington Street New Approach Anti-Drug Program.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	2,000
 <u>PROSECUTOR</u>	
1. Personal Services	<u>8,000</u>
TOTAL INCREASE	10,000

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>10,000</u>
TOTAL REDUCTION	10,000

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. 249, 2001, as amended, was retitled FISCAL ORDINANCE NO. 58, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Seventy Thousand Dollars (\$70,000) in the Community Corrections Home Detention Fund for purposes of the County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the Community Corrections Home Detention Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Community Corrections to fund one and a half pre-trial detention officer positions and to lease home detention equipment.

SECTION 2. The sum of Seventy Thousand Dollars (\$70,000) 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>COMMUNITY CORRECTIONS</u>
<u>COUNTY AUDITOR</u>	<u>HOME DETENTION FUND</u>
I. Personal Services-fringes	8,749
<u>COMMUNITY CORRECTIONS</u>	
I. Personal Services	30,035
3. Other Services and Charges	<u>31,216</u>
TOTAL INCREASE	70,000

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

	<u>COMMUNITY CORRECTIONS</u>
	<u>HOME DETENTION FUND</u>
Unappropriated and Unencumbered	
Community Corrections Home Detention Fund	<u>70,000</u>
TOTAL REDUCTION	70,000

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

Proposal No. 250, 2001 was retitled FISCAL ORDINANCE NO. 59, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Forty-five Thousand Dollars (\$45,000) 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 1.02(z) of the City-County Annual Budget for 2001 be, and is hereby amended by the

increases and reductions hereinafter stated for purposes of Community Corrections to assist in the completion of the Community Court project.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	45,000
TOTAL INCREASE	45,000

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	45,000
TOTAL REDUCTION	45,000

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. 251, 2001 was retitled FISCAL ORDINANCE NO. 60, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. I05, 2000) 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 I. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I.02(z) of the City-County Annual Budget for 2001 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 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. 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. 247, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$35,000 in the 2001 Budget for the County Sheriff (State and Federal Grants Fund) as pass through money for Destiny Delinquency Prevention and Music Therapy Program, funded by a grant from the Indiana Criminal Justice Institute. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford said that he would like to have more information about this program and would like to see success rate statistics before he feels comfortable supporting the proposal.

Councillor Talley said that this program is taking place at a couple of different Indianapolis Public Schools, and many of the children in the program are referred by Juvenile Court Judge James Payne. He said that he is making arrangements to take a tour of School 26's program and will invite others to join him.

Councillor Black said that he is familiar with the program, and the music used in the therapy is very diverse, and the program is a worthwhile program.

President SerVaas called for public testimony at 8:21 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Black, for adoption. Proposal No. 247, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 247, 2001 was retitled FISCAL ORDINANCE NO. 61, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Thirty-five Thousand Dollars (\$35,000) 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 1.02(y) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff as a pass through grant for Destiny Delinquency Prevention and Music Therapy Program

SECTION 2. The sum of Thirty-five Thousand Dollars (\$35,000) 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>
3. Other Services and Charges	<u>35,000</u>
TOTAL INCREASE	35,000

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>35,000</u>
TOTAL REDUCTION	35,000

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. 253, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 253, 2001 on May 31, 2001. The proposal, sponsored by Councillors Cockrum and Gray, approves an appropriation of \$34,420 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund [\$19,000] and Park General Fund [\$15,420]) to prepare a Multiple Property National Register of Historic Places nomination for the Kessler Park and Boulevard Plan, and to fund after school programs at Watkins and Riverside Parks, financed by federal grants (The Kessler Park and Boulevard nomination requires \$19,000 of local matching funds which has already been appropriated in the Parks budget.). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President SerVaas called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Massie, for adoption. Proposal No. 253, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 253, 2001, as amended, was retitled FISCAL ORDINANCE NO. 62, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating Thirty-four Thousand Four Hundred Twenty dollars (\$34,420) in the Federal Grants Fund and Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grants Fund and Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to prepare a Multiple Property National Register of Historic Places nomination for the Kessler Park and Boulevard Plan, and to fund after school programs at Watkins and Riverside Parks.

SECTION 2. The sum of Thirty-four Thousand Four Hundred Twenty dollars (\$34,420) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	19,000
TOTAL INCREASE	19,000

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	910
2. Supplies and Materials	6,322
3. Other Services and Charges	3,678
4. Capital Outlay	4,510
TOTAL INCREASE	15,420

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	19,000
TOTAL REDUCTION	19,000

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	15,420
TOTAL REDUCTION	15,420

SECTION 5. The Kessler Park and Boulevard nomination requires \$19,000 of local matching funds. The following existing appropriations in the Park General Fund Budget are hereby approved to be used as the local match:

	<u>PARK GENERAL FUND</u>
Existing appropriation	
1. Personal Services	8,821
2. Supplies	2,000
TOTAL	10,821

	<u>CITY CUMULATIVE CAPITAL DEV. FUND</u>
Existing appropriation	
3. Other Services and Charges	8,179
TOTAL	8,179
TOTAL MATCH	19,000

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 254, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 254, 2001 on May 31, 2001. The proposal, sponsored by

Councillors Cockrum and Douglas, approves an appropriation of \$4,250 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to conduct after school programs at Brookside Park, funded by a Weed and Seed grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 254, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 254, 2001 was retitled FISCAL ORDINANCE NO. 63, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance I05, 2000) appropriating Four Thousand Two Hundred Fifty Dollars (\$4,250) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to provide after school programs at Brookside Park.

SECTION 2. The sum of Four Thousand Two Hundred Fifty Dollars (\$4,250) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
2. Supplies and Materials	1,713
3. Other Services and Charges	1,537
4. Capital Outlay	<u>1,000</u>
TOTAL INCREASE	4,250

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>4,250</u>
TOTAL REDUCTION	4,250

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

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

Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal Nos. 255 and 256, 2001 on May 31, 2001. He asked for consent to vote on these two proposals together. Consent was given.

PROPOSAL NO. 255, 2001. The proposal, sponsored by Councillors Bradford and Douglas, approves a reappropriation of \$57,954 in the 2001 Budget of the Department of Parks and Recreation (State Grants Fund) to complete beautification of the Central Canal from College Avenue to the Monon Trail and the Monon Trail to Guilford Avenue, financed by a grant from the Build Indiana Fund. PROPOSAL NO. 256, 2001. The proposal, sponsored by Councillors Cockrum and Nytes, approves an appropriation of \$85,900 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to make capital improvements to the Talbot and 29th Street Park, financed by a grant from Lilly Endowment. By 8-0 votes, the Committee reported Proposal No. 255, 2001 to the Council with the recommendation that it do pass as amended and Proposal No. 256, 2001 to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Bradford, for adoption. Proposal No. 255, 2001, as amended, and Proposal No. 256, 2001 were adopted on the following roll call vote; viz:

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

Proposal No. 255, 2001, as amended, was retitled FISCAL ORDINANCE NO. 64, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) reappropriating Fifty-seven Thousand Nine Hundred Fifty-four Dollars (\$57,954) in the State Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the State 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 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to complete the beautification of the Central Canal from College Avenue to the Monon Trail and the Monon Trail to Guilford Avenue.

SECTION 2. The sum of Fifty-seven Thousand Nine Hundred Fifty-four Dollars (\$57,954) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>STATE GRANTS FUND</u>
3. Other Services and Charges	35,491
4. Capital Outlay	<u>22,463</u>
TOTAL INCREASE	57,954

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	<u>57,954</u>
TOTAL REDUCTION	57,954

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

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

Proposal No. 256, 2001 was retitled FISCAL ORDINANCE NO. 65, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating Eighty-five Thousand Nine Hundred Dollars (\$85,900) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to make capital improvements to the Talbot and 29<sup>th</sup> Street Park.

SECTION 2. The sum of Eighty-five Thousand Nine Hundred Dollars (\$85,900) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	8,000
4. Capital Outlay	<u>77,900</u>
TOTAL INCREASE	85,900

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>85,900</u>
TOTAL REDUCTION	85,900

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

PROPOSAL NO. 257, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 257, 2001 on May 31, 2001. The proposal, sponsored by Councillors Langsford and Gray, approves an appropriation of \$7,500 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to cover a portion of the costs to produce two free community concerts by the Indianapolis Symphony Orchestra at Ellenberger and Riverside Parks, financed by a grant from the National Endowment for the Arts. By a 7-1

vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Langsford, for adoption. Proposal No. 257, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 257, 2001 was retitled FISCAL ORDINANCE NO. 66, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating Seven Thousand Five Hundred Dollars (\$7,500) in the Federal Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the 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 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to cover a portion of the costs to produce two free community concerts by the Indianapolis Symphony Orchestra at Ellenberger and Riverside Parks.

SECTION 2. The sum of Seven Thousand Five Hundred Dollars (\$7,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	7,500
TOTAL INCREASE	7,500

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	7,500
TOTAL REDUCTION	7,500

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

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

PROPOSAL NO. 258, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 258, 2001 on May 31, 2001. The proposal, sponsored by

Councillors Massie and Gray, approves an appropriation of \$197,288 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to operate three programs or facilities previously operated under contractual agreements and to add one new program, financed by fund balances. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coonrod asked if this proposal results in an increase in full time equivalent positions (FTEs) for that department. Councillor Cockrum said that it will increase the headcount by five part-time employees. Councillor Coonrod asked if there will be a reduction in any other area of headcount for this department to offset this increase. Councillor Cockrum said that there will not. Councillor Coonrod said that the Council adopted a proposal at the last Council meeting to limit the number of FTEs in each division of City government, and now the limit is being exceeded. He said that an attempt was made several years ago by the Goldsmith administration to decrease headcount, and he has never seen any proposals forthcoming that propose to decrease headcount, only those proposing to increase. He said that while he understands the reasoning for these positions, he feels the line needs to be drawn somewhere in increasing the headcount.

Councillor Short said that it seems Councillor Coonrod is engrossed in micro-management. He said that he does not feel the Council should tell the department heads how to run their department, and if they can accommodate additional necessary personnel within their budgets, there does not seem to be any reason to oppose that.

Councillor Black asked Joseph Wynns, director of the Department of Parks and Recreation (DPR), to explain the need for this increase in headcount. Mr. Wynns said that when former Mayor Goldsmith reduced headcount, he contracted out a lot of the management services in order to do so. These two facilities were managed by contract providers. He said that when headcount was reduced, DPR went from a staff of 800 to 395, and the department currently operates with a staff of 206 FTEs. He said that these facilities have the potential of generating \$170,000, which would cover the cost of this appropriation, and the department is not asking for taxpayer money to fund these positions.

Councillor Nytes commended Mr. Wynns on his remarkable progress since taking over as director of the department. She said that earlier this evening, the Council did not bat an eye at passing a County personnel increase, and she is not sure why the City is being subjected to headcount limits when the County is not. She said that she does not believe this type of micro-management is the Council's job.

Councillor Bradford asked if the projected revenue includes concessions revenue from both of these facilities. Mr. Wynns said that the concessions portion of these facilities is contracted out, but the department will receive a percentage of those profits. These dollars, however, are not included in the \$170,000 potential revenue he referred to earlier. Councillor Bradford encouraged his colleagues to support the proposal.

Councillor Soards stated that he cast a dissenting vote in Committee, but after hearing Mr. Wynns' explanation, he now supports the proposal.

Councillor Coonrod said that there is always a good reason for increasing headcount given by department officials, but he will admit he is wrong about limiting FTEs when he sees a proposal that actually proposes to reduce headcount.

President SerVaas called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Massie, for adoption. Proposal No. 258, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 258, 2001 was retitled FISCAL ORDINANCE NO. 67, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating an additional One Hundred Ninety-seven Thousand Two Hundred Eighty-eight Dollars in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to operate three programs or facilities previously operated under contractual agreements and one new program. The existing programs or facilities are Adult Softball, Lake Sullivan, and Perry Rink and the new program is Sports Enterprise Development.

SECTION 2. The sum of One Hundred Ninety-seven Thousand Two Hundred Eighty-eight Dollars (\$197,288) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	89,455
2. Supplies and Materials	28,600
3. Other Services and Charges	<u>79,233</u>
TOTAL INCREASE	197,288

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>197,288</u>
TOTAL REDUCTION	197,288

SECTION 5. Section 1 (b)(1) of Proposal No. 723, 2000 (F.O. No. 49, 2001) is hereby amended by the deletion of the language which is stricken-through and by the addition of the language which is underlined, to read as follows:

Department	Division	Position Type	2001 Proposed
Parks & Recreation	Administration	Bi-weekly position FTE	22.00
Parks & Recreation	Administration	Part time position FTE	1.26
Parks & Recreation	Administration	Seasonal staff FTE	0.38
Parks & Recreation	Park Maintenance	Bi-weekly position FTE	16.00
Parks & Recreation	Park Maintenance	Part time position FTE	0.00

Department	Division	Position Type	2001 Proposed
Parks & Recreation	Park Maintenance	Seasonal staff FTE	13.12
Parks & Recreation	Park Maintenance	Union position FTE	71.00
Parks & Recreation	Sports & Special Revenue Facilities	Bi-weekly position FTE	<del>17.00</del> 18.20
Parks & Recreation	Sports & Special Revenue Facilities	Part time position FTE	17.44
Parks & Recreation	Sports & Special Revenue Facilities	Seasonal staff FTE	<del>82.30</del> 85.97
Parks & Recreation	Community Recreation	Bi-weekly position FTE	43.00
Parks & Recreation	Community Recreation	Part time position FTE	10.01
Parks & Recreation	Community Recreation	Seasonal staff FTE	20.23
Parks & Recreation	Environmental & Interpretive Services	Bi-weekly position FTE	21.00
Parks & Recreation	Environmental & Interpretive Services	Part time position FTE	1.43
Parks & Recreation	Environmental & Interpretive Services	Seasonal staff FTE	9.39
Parks & Recreation	Greenways	Bi-weekly position FTE	4.00
Parks & Recreation	Greenways	Part time position FTE	0.00
Parks & Recreation	Greenways	Seasonal staff FTE	0.38
Parks & Recreation	Golf	Bi-weekly position FTE	1.00
Parks & Recreation	Golf	Seasonal staff FTE	0.38
Parks & Recreation	Resource Development	Bi-weekly position FTE	11.00
Parks & Recreation	Resource Development	Part time position FTE	0.00
Parks & Recreation	Resource Development	Seasonal staff FTE	0.31
Parks & Recreation	Resource Development	Union position FTE	17.00
Parks & Recreation	Park Rangers	Bi-weekly position FTE	29.00
Parks & Recreation	Park Rangers	Part time position FTE	0.00
<b>Parks &amp; Recreation Total</b>			<del>408.63</del> <b>413.50</b>
<b>Grand Total</b>			<del>1,591.53</del> <b>1,596.40</b>

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. 238, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 238, 2001 on May 29, 2001. The proposal, sponsored by Councillors Coonrod, Schneider, and Talley, concerns the expiration dates for various license provisions. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coonrod moved, seconded by Councillor Talley, for adoption. Proposal No. 238, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Boyd, Horseman*

1 ABSENT: *Dowden*

Proposal No. 238, 2001 was retitled GENERAL ORDINANCE NO. 51, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2001

PROPOSAL FOR A GENERAL ORDINANCE to delete the provision of expiration dates for G. O. No. 138, 1996, and G. O. No. 183, 1997, concerning various licensing requirements.

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

SECTION 1. General Ordinance No. 138, 1996, regarding city license definitions and provisions regarding kennels, pet shops and stables, amusement locations and machines, junk dealers and peddlers, itinerant junk dealers, horse-drawn carriages, secondhand motor vehicle dealers, scavenger trucks, transient merchants, commercial parking facilities, and sidewalk cafes, hereby is amended by the deletion of the expiration date of July 1, 2001, as provided in SECTION 16 thereof. It is the intent of this ordinance that the provisions of G. O. No. 138, 1996, which amended the "Municipal Code of Indianapolis and Marion County, Indiana" and the "Revised Code of the Consolidated City and County" shall not expire, but shall remain in full force and effect, and as they may have been amended, renumbered, or recodified since the effective date thereof.

SECTION 2. General Ordinance No. 183, 1997, regarding license definitions and provisions regarding animal exhibition permits, kennels, pet shops and stables, horse-drawn carriages and coachmen, fire extinguisher service companies, pyrotechnic displays, massage parlors, bathhouses, and related enterprises, amusement locations and machines, waste, rubbish and trash hauling, commercial parking facilities, sidewalk cafes, transient merchants, tobacco, special police, advertising on vehicles, vendors, junk dealers and peddlers, itinerant junk dealers, and secondhand motor vehicles, hereby is amended by the deletion of the expiration date of July 1, 2002, as provided in SECTION 29 thereof. It is the intent of this ordinance that the provisions of G. O. No. 183, 1997, which amended the "Municipal Code of Indianapolis and Marion County, Indiana" and the "Revised Code of the Consolidated City and County" shall not expire, but shall remain in full force and effect, and as they may have been amended, renumbered, or recodified since the effective date thereof.

SECTION 3. 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. 241, 2001. Councillor Borst reported that the Public Safety and Criminal Justice Committee heard Proposal No. 241, 2001 on May 23, 2001. The proposal, sponsored by Councillor Dowden, requests to fund MECA operations in calendar year 2002 with County Option Income Tax revenue in the amount of \$2,750,000. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 241, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Horseman*

1 ABSENT: *Dowden*

Proposal No. 241, 2001 was retitled SPECIAL ORDINANCE NO. 5, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2001

A SPECIAL ORDINANCE election to fund MECA in 2002 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 2002, the City-County Council, prior to September 1, 2001, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

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

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 2002 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. 252, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 252, 2001 on May 31, 2001. The proposal, sponsored by Councillors Cockrum and Douglas, approves a transfer of \$1,093,858 in the 2001 Budget of the Department of Parks and Recreation (City Cumulative Capital Development Fund) to complete various capital improvement projects. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 252, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Horseman, Talley*

1 ABSENT: *Dowden*

Proposal No. 252, 2001 was retitled FISCAL ORDINANCE NO. 68, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) transferring and appropriating One Million Ninety-three Thousand Eight Hundred Fifty-eight Dollars (\$1,093,858) in the City Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to complete various capital improvement projects.

SECTION 2. The sum of One Million Ninety-three Thousand Eight Hundred Fifty-eight Dollars (\$1,093,858) 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 PARKS AND RECREATION</u>	<u>CITY CUMULATIVE CAPITAL DEV. FUND</u>
3. Other Services and Charges	1,093,858
TOTAL INCREASE	1,093,858

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>CITY CUMULATIVE CAPITAL DEV. FUND</u>
4. Capital Outlay	1,093,858
TOTAL DECREASE	1,093,858

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

PROPOSAL NO. 259, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 259, 2001 on May 31, 2001. The proposal, sponsored by Councillors Cockrum and Douglas, approves certain public purpose grants totaling \$1 million for support of the arts. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst commended Ramona Baker, director of the Arts Council of Indianapolis, in taking the Council's advice in the matter of advertising these grants.

Councillor Schneider said that he is not opposed to arts in Indianapolis, but is opposed to public funds being used to fund the arts. He said that an incident involving a questionably immoral play last year shows that this should not be a function of local government.

Councillor Short said that the Constitution allows freedom of speech in arts and in all other areas of life. He said that it is a proven fact that when arts programs are cut, schools do not perform as well academically, and he believes arts are a vital part of this City.

Councillor Conley said that Councillor Schneider is opposed to the government funding arts, but this body is not funding the arts, they are governing expenditures of grant dollars.

President SerVaas said that arts are a very worthwhile cause in this City and they benefit the citizens and generate revenue.

Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 259, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 259, 2000 was retitled GENERAL RESOLUTION NO. 5, 2001, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2001

PROPOSAL FOR A GENERAL RESOLUTION approving certain public purpose grants totaling \$1,000,000.00 for the support of the arts.

WHEREAS, the City-County Council of the Consolidated City of Indianapolis and Marion County, Indiana ("City-County Council") appropriated the sum of Five Hundred Thousand Dollars (\$500,000.00) in Section 4.01(d) of City-County Fiscal Ordinance No. 105, 2000, Annual Budget and Tax levies for the Consolidated City of Indianapolis and Marion County, Indiana, (Budget Ordinance) for funding arts grants to be made by the Arts Council of Indianapolis and provided that such grants shall be considered public purpose local grants;

WHEREAS, the City-County Council of the Consolidated City of Indianapolis and Marion County, Indiana ("City-County Council") appropriated an additional Five Hundred Thousand Dollars (\$500,000.00) to provide additional public purpose arts grants for 2001 in City-County Fiscal Ordinance No. 1, 2001; and

WHEREAS, Section 4.01(c) of the Budget Ordinance requires that sums appropriated therein for public purpose local grants shall not be spent until the City-County Council approves the amount and identity of the recipient of each grant; now, therefore

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

SECTION 1. The following grants and administrative expenses totaling One Million Dollars (\$1,000,000.00) for support of the arts is approved in the following amounts for the following organizations:

<i>Arts Council of Indianapolis</i>	
<b>2001 Annual Grants Program</b>	
<b>Community Outreach and Arts Education Initiatives</b>	
<b>Organization Name</b>	<b>Award Amount</b>
African Cultural Resources Corporation	\$1,000
American Cabaret Theatre	2,500
American Pianists Association	14,000
Arts Indiana	4,000
At Your School	4,000
Ballet Internationale	15,000
Children's Museum of Indianapolis	75,000
Clowes Memorial Hall	19,000
Concord Multi Service Center	1,000
Crossroads Performing Arts	2,500
Crown Hill Heritage Foundation	1,500
Dance Kaleidoscope	26,000
Edyvean Repertory Theatre	23,000
Eiteljorg Museum	50,000
Festival Music Society of Indiana	2,500
Freetown Village	19,000
Hoosier Salon	3,500
Indiana Black Expo	15,000
Indiana Historical Society	2,500
Indiana Repertory Theatre	50,000
Indianapolis Art Center	40,000
Indianapolis Chamber Orchestra	26,000
Indianapolis Children's Choir	20,000
Indianapolis Civic Theatre	30,000
Indianapolis Museum of Art	70,000
Indianapolis Opera	15,000
Indianapolis Symphonic Band	3,500
Indianapolis Symphonic Choir	15,000
Indianapolis Symphony Orchestra	70,000

*Arts Council of Indianapolis*  
**2001 Annual Grants Program**  
**Community Outreach and Arts Education Initiatives**

International Violin Competition	24,000
Kaleidoscope Community Partnership Youth Center	2,500
League of Indianapolis Theatres	2,500
Martin Luther King Multi Service Center	4,000
Madame Walker Theatre Center	38,000
Mud Creek Players	2,500
National Art Museum of Sport	1,000
New World Youth Symphony	3,500
Philharmonic Orchestra of Indianapolis	3,000
Phoenix Theatre	27,000
Stories, Inc.	7,000
Susurrus	2,500
Urban Arts Consortium of Indianapolis	5,000
VSA arts of Indiana	27,000
WFYI Teleplex	10,000
Writers' Center of Indiana	4,000
Young Audiences of Indiana	<u>30,000</u>
<b>Total of Community Outreach and Arts Education Grants</b>	<b>\$814,000</b>

*Arts Council of Indianapolis*  
**Distribution of 2001 City Arts Funding**

Grants for Community Outreach and Arts Education Initiatives (see breakdown)	\$814,000
Community Arts Programs	9,000
Arts Initiatives: Arts Education Programs and Arts Education Resource Guide	22,000
Technical Assistance Programs	55,000
Adjudication and Panel Costs	18,410
Administration of Grants Program, Contracts, Administration, Audits, Processing, Workshops, Printing, and Promotion of Grants	<u>81,590</u>
<b>Total of 2001 Arts Funding as Line Item through Indy Parks and Recreation</b>	<b>\$1,000,000</b>

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

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 221, 260, and 261, 2001 on May 31, 2001. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 221, 2001. The proposal, sponsored by Councillor Brents, authorizes parking restrictions for Alabama Street, on the east side, from Henry Street to a point 92 feet north of Henry Street (District 16). PROPOSAL NO. 260, 2001. The proposal, sponsored by Short, authorizes parking restrictions for Palmer Street, on both sides, from State Avenue to Asbury Street (District 21). PROPOSAL NO. 261, 2001. The proposal, sponsored by Councillor SerVaas, authorizes the change in intersection controls at 64th Street and 65th Streets at the Monon Trail Crossing (District 2). By unanimous votes, the Committee reported the proposals to

the Council with the recommendation that they do pass. Councillor Coughenour moved, seconded by Councillor Brents, for adoption. Proposal Nos. 221, 260, and 261, 2001 were adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Gibson, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Sanders, SerVaas, Short, Smith, Soards, Talley, Tilford*

0 NAYS:

3 NOT VOTING: *Gray, Nytes, Schneider*

1 ABSENT: *Dowden*

Proposal No. 221, 2001 was retitled GENERAL ORDINANCE NO. 52, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2001

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

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

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

*Alabama Street*, on the east side, from Henry Street to a point 92 feet north of Henry Street

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

Proposal No. 260, 2001 was retitled GENERAL ORDINANCE NO. 53, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2001

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

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

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

*Palmer Street*, on both sides, from State Avenue to Asbury Street

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

Proposal No. 261, 2001 was retitled GENERAL ORDINANCE NO. 54, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2001

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	64 <sup>th</sup> St Monon Trail Crossing	None	All Way Stop
11	65 <sup>th</sup> St Monon Trail Crossing	None	All Way Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	64 <sup>th</sup> St Cornell Av	None	All Way Stop
11	65 <sup>th</sup> St Cornell Av	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.

**NEW BUSINESS**

Councillor Short invited Councillors to participate in the IPD South District Community Day being held this Saturday, June 9, 2001, from 10:00 a.m. to 2:00 p.m.

**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) All Councillors in memory of Gordon G. Gilmer; and
- (2) Councillor Gray in memory of Lawrence D. Foster; and
- (3) Councillors Gray and Black in memory of Reverend James R. Bradley.

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 Gordon G. Gilmer, Lawrence D. Foster, and Reverend James R. Bradley. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:55 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

June 4, 2001

County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 4th day of June, 2001.

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)