

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

**REGULAR MEETINGS
MONDAY, JUNE 25, 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 7:10 p.m. on Monday, June 25, 2001, with President SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Cockrum recognized Wayne Township Assessor Charlie Spears. Councillor Nytes introduced her husband Michael O'Brien. Councillor Sanders welcomed members of the Slovene Culture Society and wished Councillors Langsford and Horseman a happy birthday. Councillor Gray recognized Indianapolis Fire Department Chief Louis Dezelan and his mother Frieda Dezelan.

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 25, 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

June 4, 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* and in the *Indianapolis Star* on Wednesday, June 6, 2001, copies of Legal Notices of General Ordinance Nos. 43 and 45, 2001.

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

June 5, 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* and in the *Indianapolis Star* on Friday, June 8, 2001, a copy of a Notice of Public Hearing on Proposal Nos. 277-282 and 308, 2001, said hearing to be held on Monday, June 25, 2001, at 7:00 p.m. in the City-County Building.

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

June 15, 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* and in the *Indianapolis Star* on Wednesday, June 20, 2001, a copy of a Legal Notice of General Ordinance No. 51, 2001.

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

June 14, 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. 52, 2001 - approves the appropriation of the proceeds of the bond issue not to exceed \$15.2 million to upgrade the Enhanced 911 System

FISCAL ORDINANCE NO. 53, 2001 - 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

FISCAL ORDINANCE NO. 54, 2001 - 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

FISCAL ORDINANCE NO. 55, 2001 - 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

FISCAL ORDINANCE NO. 58, 2001 - 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

FISCAL ORDINANCE NO. 59, 2001 - 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

FISCAL ORDINANCE NO. 60, 2001 - 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)

FISCAL ORDINANCE NO. 62, 2001 - 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.)

FISCAL ORDINANCE NO. 63, 2001 - 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

FISCAL ORDINANCE NO. 64, 2001 - 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

FISCAL ORDINANCE NO. 65, 2001 - 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

FISCAL ORDINANCE NO. 66, 2001 - 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

FISCAL ORDINANCE NO. 67, 2001 - 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

FISCAL ORDINANCE NO. 68, 2001 - 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

GENERAL ORDINANCE NO. 51, 2001 - concerns the expiration dates for various license provisions

GENERAL ORDINANCE NO. 52, 2001 - authorizes parking restrictions for Alabama Street, on the east side, from Henry Street to a point 92 feet north of Henry Street (District 16)

GENERAL ORDINANCE NO. 53, 2001 - authorizes parking restrictions for Palmer Street, on both sides, from State Avenue to Asbury Street (District 21)

GENERAL ORDINANCE NO. 54, 2001 - authorizes the change in intersection controls at 64th Street and 65th Streets at the Monon Trail Crossing (District 2)

SPECIAL ORDINANCE NO. 4, 2001 - authorizes the City to issue up to \$15.2 million in bonds for upgrade of the Enhanced 911 System

SPECIAL ORDINANCE NO. 5, 2001 - requests to fund MECA operations in calendar year 2002 with County Option Income Tax revenue in the amount of \$2,750,000

GENERAL RESOLUTION NO. 5, 2001 - approves certain public purpose grants totaling \$1 million for support of the arts

SPECIAL RESOLUTION NO. 35, 2001 - recognizes the June 9th Second Annual Tastes of Africa 2001

SPECIAL RESOLUTION NO. 36, 2001 - recognizes exceptional CVS Corporation pharmacist Jim Kessler

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of June 4, 2001. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 331, 2001. The proposal, sponsored by Councillor Cockrum, recognizes the International Association of Lions Clubs Convention in Indianapolis. Councillor Cockrum read the proposal and stated that it will be presented to representatives this Saturday. He moved, seconded by Councillor Tilford, for adoption. Proposal No. 331, 2001 was adopted by a unanimous voice vote.

Proposal No. 331, 2001 was retitled SPECIAL RESOLUTION NO. 37, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 2001

A SPECIAL RESOLUTION recognizing the International Association of Lions Clubs Convention in Indianapolis.

WHEREAS, the International Association of Lions Clubs is holding its 84th Annual Lions Clubs Convention in Indianapolis July 2 through July 6, 2001; and

WHEREAS, the International Association of Lions Clubs began as a dream of Chicago insurance man Melvin Jones, and the first National Convention was held in Dallas, Texas, in October, 1917, with thirty-six delegates from 22 local clubs, and elected Dr. William P. Woods of Indiana as its first President; and

WHEREAS, the Association has grown to include 1.4 million men and women in more than 44,000 clubs located in 185 countries and geographical areas; and

WHEREAS, one of the most significant programs of Lions International is servicing people who are blind, or who are visually impaired; and

June 25, 2001

WHEREAS, our Indiana Lions support many programs including: Indiana Lions Eye Bank, Leader Dogs for the Blind, Lions Cancer Control Fund (Gamma Knife), Indiana Lions Speech & Hearing, Indiana Lions Foundation, diabetes Awareness, and many others; and

WHEREAS, the Motto of every Lion is simply, "We Serve"; 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 welcomes Lions International President Dr. Jean Behar, of Sainte-Adress, France, and Lions from around the world to Indianapolis.

SECTION 2. Indianapolis thanks Lions for their service to all peoples of the world, and wish all visiting Lions a very successful Convention, and an enjoyable visit to our city.

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. 332, 2001. The proposal, sponsored by Councillors Bradford, SerVaas, Langsford, and Gray, commends the public safety personnel for their successful life saving rescue of stranded boaters on White River in Broad Ripple. Councillor Bradford read the proposal and presented representatives with copies of the document and Council pins. Chief Mickey Rudez, Indianapolis Fire Department, and Indiana State Police Sergeants James Kelly and Robert Sanej thanked the Council for the recognition and stated that this accomplishment was the result of working together as a team. Councillors Conley and Gray stated that these public safety personnel showed great unity and true heroism. Councillor Bradford moved, seconded by Councillor Langsford, for adoption. Proposal No. 332, 2001 was adopted by a unanimous voice vote.

Proposal No. 332, 2001 was retitled SPECIAL RESOLUTION NO. 38, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 2001

A SPECIAL RESOLUTION commending the public safety personnel for their successful life saving rescue of stranded boaters on White River in Broad Ripple.

WHEREAS, Sunday, June 10th, was a typical hot summer day that saw hundreds if not thousands of Hoosiers spending the afternoon boating in rivers, lakes and ponds with friends and family; and

WHEREAS, recent rains had raised the water level of White River in Broad Ripple on the north side of Indianapolis, and when the motor went out of a 14-foot pleasure boat containing four adults and an infant the swift river current sent the hapless craft toward the Broad Ripple Dam; and

WHEREAS, with what could be called Divine Intervention the boat became lodged at the top of the dam, and emergency services soon arrived; and

WHEREAS, the river's current was too strong and turbulent for diver team rescue, neither of two fire departments ladder trucks could reach far enough, and ropes across the river weren't steady, but finally helicopters arrived and all five people in the precarious boat were carefully airlifted to shore; 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 commends the public safety personnel from several different departments for appreciating that they had a life and death situation in their hands, for cooperating together with a variety of rescue options, and finally being able to successfully rescue the five victims from the swirling current at the Broad Ripple Dam.

SECTION 2. This near tragedy serves as a reminder to all Indianapolis and Marion County citizens about water safety, whether boating, fishing, swimming or just walking the shores in backyard pools, subdivision drainage ponds, apartment and motel pools, diving, life preservers, thunderstorms and water, and a large dose of common sense.

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. 333, 2001. The proposal, sponsored by Councillor McWhirter, recognizes the 35 years of public service by county employee Paula J. Tracy. Councillor McWhirter read the proposal and presented Ms. Tracy with a copy of the document and a Council pin. Wayne Township Assessor Charlie Spears stated that Ms. Tracy has been an exemplary employee and she will be missed. Ms. Tracy thanked the Council for the honor. Councillor McWhirter moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 333, 2001 was adopted by a unanimous voice vote.

Proposal No. 333, 2001 was retitled SPECIAL RESOLUTION NO. 39, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 2001

A SPECIAL RESOLUTION recognizing the 35 years of public service by County employee Paula J. Tracy.

WHEREAS, Paula Tracy worked in the Marion County Voter Registration Office from 1966 through 1978, and then as a supervisor in the Wayne Township Assessor's Office since that time; and

WHEREAS, Paula began working for Marion County at a time when B-52's were bombing Hanoi, miniskirts were the fashion rage, and computers were room-sized monster machines used mostly by the military; and

WHEREAS, Paula is the fifth of eight children, is very family oriented, is a proud graduate of Crispus Attucks High School, and has served as a Republican Precinct Committee Person in Wayne Township for the past 40 years; and

WHEREAS, she is a tremendous asset to her office, is reliable, maintains a good attitude, and with her forthcoming retirement at the end of the month, she will be sorely missed; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes Paula J. Tracy who for three and one-half decades has served the taxpayers well by being a hard worker and an important asset to local Marion County government.

SECTION 2. The Council wishes Paula the very best of health and happiness as she retires and has more time for gardening, reading, her Mount Zion Baptist Church, and quality time with her family, especially with her 90-year-old mother Thelma.

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. 334, 2001. The proposal, sponsored by Councillors Sanders and SerVaas, honors the Indianapolis Slovene Community as they celebrate Slovene National Day, June 25, 2001, the 10th Anniversary of Slovenia's independence from the Socialist Federated Republic of Yugoslavia. Stephen Fahn, president of the Slovene Culture Society, thanked the Council for the

recognition. Councillors SerVaas and Brents congratulated the Slovenian representatives and wished them well in Indianapolis. Councillor Sanders moved, seconded by Councillor SerVaas for adoption. Proposal No. 334, 2001 was adopted by a unanimous voice vote.

Proposal No. 334, 2001 was retitled SPECIAL RESOLUTION NO. 40, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 2001

A SPECIAL RESOLUTION honoring the Indianapolis Slovene Community as they celebrate Slovene National Day, June 25, 2001, the 10th Anniversary of Slovenia's independence from the Socialist Federated Republic of Yugoslavia.

WHEREAS, young Slovenian males were recruited to Indianapolis by the National Malleable Casting Company and the Link Belt Company as early as 1885; and

WHEREAS, Slovenians were one of the largest Eastern European contingents to settle in Indianapolis by 1907; and

WHEREAS, Holy Trinity Slovenian Catholic Church became the only parish in Indiana with a Slovenian majority; and

WHEREAS, the Slovenian community has provided our community at large with such notable public servants as John Blazic, Acting Fire Chief in 1973, Phil Bayt, two-time Mayor of Indianapolis in 1950-51, and again from 1956-59, Joe Dezelan, Football Coach of Cathedral High School from the 1940's through the 1960's and a member of the Indiana High School Football Hall of Fame, former 12-year City-County Councillor Jeff Golc, and two prominent current public servants, Indianapolis Fire Chief Louis Dezelan, and Gerald S. Zore, Judge of Civil Court 7; and

WHEREAS, the Indiana Pacers will begin to reap the benefits of this rich ethnic heritage by having signed their first draft pick, Primoz Brezec of Slovenia on June 18, 2001; 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 joins with the Indianapolis Slovene Community in celebrating their rich heritage, their contributions to the growth of our community, and their joy in the knowledge that their homeland, the "*Sunny Side of the Alps*", is a free and democratic republic.

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

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

PROPOSAL NO. 335, 2001. The proposal, sponsored by Councillors Nytes, Boyd, Sanders, and Conley, recognizes the 3rd Annual Indy Jazz Fest and in particular the accomplishments of J. J. Johnson. Councillor Nytes read the proposal and presented representatives with copies of the document and Council pins. Councillors Conley, Sanders, and Boyd encouraged Council members and citizens to attend this exceptional event. Chuck Workman, Indy Jazz Fest board member, thanked the Council for the recognition. Councillor Nytes moved, seconded by Councillor Conley, for adoption. Proposal No. 335, 2001 was adopted by a unanimous voice vote.

Proposal No. 335, 2001 was retitled SPECIAL RESOLUTION NO. 41, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 2001

A SPECIAL RESOLUTION recognizing the 3rd Annual Indy Jazz Fest and in particular the accomplishments of J. J. Johnson.

WHEREAS, for the third year in a row, Indy Jazz Fest sponsored by Kroger has assembled an all star list of performers who will grace our city from July 9th-15th; and

WHEREAS, over 65,000 visitors will enjoy jazz, blues, soul, gospel and other diverse acts on four stages including the legendary James Brown, Chuck Mangione, Terence Blanchard, The Isley Brothers, Poncho Sanchez, Los Lobos and the Count Basie Orchestra; and

WHEREAS, local talents such as Jimmy Coe, David Young, Russel Webster, Cathy Morris and Collage, Alonzo Pooky Johnson and Melvin Rhyne will perform; and

WHEREAS, James Louis "J.J." Johnson, the single most important trombonist in contemporary music, jazz or otherwise, revolutionized the approach to the instrument, and is considered by most critics to be the founder of the modern generation of jazz trombonists, was the winner of two Grammy awards, is in the Jazz Hall of Fame; and

WHEREAS, a special Tribute to Indianapolis son J. J. Johnson will be held Sunday evening, in recognition of the work of this most famous world class trombonist; and

WHEREAS, Mr. Johnson and a host of other famous musicians including Slide Hampton, John Leslie "Wes" Montgomery, Leroy Vinnegar, Freddie Hubbard, Dr. David Baker, Leroy Ridley and Jimmy Spaulding studied in the music program of IPS's Crispus Attucks and Shortridge High Schools and went on to revolutionize the world of jazz; 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 salutes Indy Jazz Fest for its efforts to provide the most diverse and exciting music festival in the Midwest, and encourages citizens to join the Jazz Fest events in July to learn more about the rich musical heritage of our city.

SECTION 2. The Council urges parents and teachers throughout the city to support the efforts of our young people to develop their musical skills, and commends IPS and other schools for the investment they have made in music instruction in the past resulting in the musical treasure we enjoy today.

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. 346, 2001. The proposal, sponsored by Councillors Short, Soards, and Gibson, recognizes professional football player Jason Belser and the Jason Belser Foundation. Councillor Gibson read the proposal and presented Mr. Belser with a copy of the document and a Council pin. Mr. Belser thanked the Council for the recognition and thanked the City for embracing him for nine years. Evelyn Belser, Mr. Belser's mother, thanked the City for treating her son so well during his formative years. Councillors Short and Soards thanked Mr. Belser for his contributions to the City of Indianapolis in ways other than his football success. Councillor Short moved, seconded by Councillor Soards, for adoption. Proposal No. 346, 2001 was adopted by a unanimous voice vote.

Proposal No. 346, 2001 was retitled SPECIAL RESOLUTION NO. 42, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 2001

A SPECIAL RESOLUTION recognizing professional football player Jason Daks Belser and the Jason Belser Foundation.

WHEREAS, Jason Belser is well known by football fans, but lesser known is the Indianapolis-based Foundation that he created in early 2000; and

June 25, 2001

WHEREAS, during the nine years that Belser called Indianapolis home his commitment and compassion made a strong statement about the character of the man; and

WHEREAS, he made over a hundred personal appearances at IPS and township schools talking to children about the importance of education, he held football camps for underprivileged children, volunteered countless hours at group homes for children, volunteered to cook Thanksgiving dinners at homeless shelters, visited high school football games to encourage kids on the sidelines, and this is only a small partial list of his straight-from-the-heart personal generosity; and

WHEREAS, early last year Mr. Belser established the Jason Belser Foundation in Indianapolis where he adds all of his endorsement fees, and even though his pro career may take him elsewhere, he has elected to keep his Foundation in this city where he spent his formative young adult years; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Jason Daks Belser who has left a significant positive influence upon Indianapolis.

SECTION 2. Through his work with young people and his Jason Belser Foundation, his mark will be felt in this city for many decades to come.

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

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

PROPOSAL NO. 347, 2001. The proposal, sponsored by Councillors Horseman, Bradford, Douglas, Moriarty Adams, and Nytes, recognizes the Church of the Nazarene International Convention and their volunteer work while in Indianapolis. Councillor Horseman read the proposal and presented representatives with copies of the document and Council pins. Councillor Bradford thanked the group for their volunteer work. Ron and Laura Sylvester and Dr. Gary Morris, representing One Heart Many Hands volunteer group; and Dr. Richard Estep, representing the Church of the Nazarene International Convention, thanked the City and said that the City knows how to treat visitors. Dr. Estep added that the convention always chooses unanimously to return to Indianapolis and is looking forward to 2005. Councillors Black, Moriarty Adams, Douglas, and Short thanked the organization for their volunteer work and encouraged them to keep coming back. Councillor Horseman moved, seconded by Councillor Bradford, for adoption. Proposal No. 347, 2001 was adopted by a unanimous voice vote.

Proposal No. 347, 2001 was retitled SPECIAL RESOLUTION NO. 43, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 2001

A SPECIAL RESOLUTION recognizing the Church of the Nazarene International Convention and their volunteer work while in Indianapolis.

WHEREAS, the Church of the Nazarene was founded in 1908, and shortly thereafter located its headquarters in Kansas City, Missouri; and

WHEREAS, the denomination has grown to 1.2 million members in 11,800 churches along with Church schools, colleges and clinics throughout the world; and

WHEREAS, for the third time since 1989, the Nazarenes have chosen to hold their quadrennial General Assembly in Indianapolis, this year from June 20-29, bringing 40,000 Nazarenes to the Convention Center and RCA Dome for hundreds of educational sessions, General Council Sessions and uplifting mass gatherings; and

WHEREAS, while in Indianapolis, the Nazarenes will demonstrate their strong tradition of benevolence and compassion by dispatching teams of 2,000 volunteers to the near east and near south sides of downtown to work on 119 projects of repairing homes of poor people and beautifying city streetscapes and parks; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and welcomes the Church of the Nazarene to Indianapolis for its 25th General Assembly, and extends a special thanks to the volunteers for their helping hands to make near-downtown areas more pretty, habitable, and safe.

SECTION 2. The Council hopes that the Nazarene International Convention is very productive and meaningful to all who attend, and that the sessions will be blessings of hope, inspiration, spirit, and know-how for the delegates as they return home to all corners of the world.

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. 348, 2001. The proposal, sponsored by Councillors Dowden, Short, and Talley, recognizes the 2001 World Police & Fire Games, 6000 local volunteers, and Games Chairman Danny Overley. Councillor Dowden moved, seconded by Councillor Short, to postpone Proposal No. 348, 2001 until July 23, 2001. Proposal No. 348, 2001 was postponed by a unanimous voice vote.

PROPOSAL NO. 351, 2001. The proposal, sponsored by Councillor Bradford, concerns White River. Councillor Bradford read the proposal and presented representatives with copies of the document and Council pins. Kevin Hardy, executive director of the Friends of White River, thanked the Council for the recognition. Councillor Bradford moved, seconded by Councillor Coughenour, for adoption. Proposal No. 351, 2001 was adopted by a unanimous voice vote.

Proposal No. 351, 2001 was retitled SPECIAL RESOLUTION NO. 45, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 2001

A SPECIAL RESOLUTION concerning White River.

WHEREAS, White River begins in Eastern Indiana near Winchester, flows through Indianapolis, and eventually merges into the Wabash River in the Southern part of Indiana; and

WHEREAS, for generations White River in Indianapolis has not been seen as a particularly important asset; and

WHEREAS, fortunately within the past several years people have awakened to the excitement and benefits of this natural resource, and have taken steps to protect and enhance White River for both clean economic and recreational benefits for Indianapolis citizens; and

WHEREAS, a local group, Friends of the White River, with a grant from the Nina Mason Pulliam Charitable Trust has organized a special community outreach educational training session on Saturday, June 30, at Holliday Park at 9:00 a.m. for individuals, neighborhood organizations and service groups on how they can establish river bank cleanups and beautification projects and other ways to help make a difference for White River; now, therefore:

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

June 25, 2001

SECTION 1. The Indianapolis City-County Council applauds the Nina Mason Pulliam Charitable Trust and Friends of the White River for this modern enlightened approach to make White River in Indianapolis an important asset that we, and generations after us, can enjoy and look upon with pride.

SECTION 2. The Council urges all who are interested to attend the June 30th education seminar at Holliday Park.

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

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

PROPOSAL NO. 352, 2001. The proposal, sponsored by Councillors Horseman, Knox, and Bainbridge, recognizes Hispanic Hoosiers, Inc., and their annual Latino Expo and Job Fair. Councillor Horseman read the proposal and presented representatives with copies of the document and Council pins. Maria Tapia, Hispanic Hoosiers, Inc., and Jan Roarke, Small Business Association, thanked the Council for the honor and invited everyone to attend the Expo. Councillor Horseman moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 352, 2001 was adopted by a unanimous voice vote.

Proposal No. 352, 2001 was retitled SPECIAL RESOLUTION NO. 46, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 2001

A SPECIAL RESOLUTION recognizing Hispanic Hoosiers, Inc., and their annual Latino Expo and Job Fair.

WHEREAS, Hispanic Hoosiers, Inc. was established in October, 1999, with a mission of promoting economic development within the local Hispanic community; and

WHEREAS, their annual Latino Expo and Job Fair kindles and nurtures entrepreneurship and matches jobs for Indianapolis' fastest growing immigrant group which all help fulfill Hispanic Hoosiers, Inc.'s economic development goal; and

WHEREAS, this year's 3rd Annual Latino Expo and Job Fair on July 9, 2001, at the Convention Center is expected to feature 100 exhibitors and draw at least 3,000 visitors; and

WHEREAS, as a result of the first two annual Expos, at least two new small businesses (a jewelry store and a specialized restaurant) have been established, and at least 100 people each year have been hired by local businesses; now, therefore

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

SECTION 1. The Indianapolis City-County Council recognizes Hispanic Hoosiers, Inc. for their work in promoting economic development, new business creation, and job matching at their annual Latino Expo and Job Fairs.

SECTION 2. The Council also commends Michael Jordan of Cambridge Capital Management, Inc., and the Indiana District Office of the U.S. Small Business Administration for their assistance with the Latino Expos.

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. 310, 2001. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 310, 2001 on June 5, 2001. The proposal, sponsored by Councillor Boyd, 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst thanked both Ms. Henegar and Ms. Coleman for sending resumes and letters to Committee members. Councillor Massie moved, seconded by Councillor Boyd, for adoption. Proposal No. 310, 2001 was adopted by a unanimous voice vote.

Proposal No. 310, 2001 was retitled COUNCIL RESOLUTION NO. 62, 2001, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2001

A COUNCIL RESOLUTION approving 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.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County," mayoral appointments of Deputy Mayor for Policy and Deputy Mayor for Neighborhoods are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Jane A. Henegar to serve as Deputy Mayor for Policy at his pleasure for a term ending December 31, 2001; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Carolyn M. Coleman to serve as Deputy Mayor for Neighborhoods at his pleasure for a term ending December 31, 2001; now, therefore:

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

SECTION 1. Jane A. Henegar is approved and confirmed by the City-County Council to serve as Deputy Mayor for Policy for a term ending December 31, 2001.

SECTION 2. Carolyn M. Coleman is approved and confirmed by the City-County Council to serve as Deputy Mayor for Neighborhoods for a term ending December 31, 2001.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 313, 2001. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which seeks renewal of authorization and approval for Marion County Treasurer and City Controller to invest public funds in money-market mutual funds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 314, 2001. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the County to issue bonds not to exceed \$3,545,000 to finance improvements in the telephone infrastructure in the City-County Building"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 315, 2001. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves the appropriation of the proceeds of the bond issue not to exceed \$3,545,000 to finance improvements in the telephone infrastructure in the City-County Building"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 316, 2001. Introduced by Councillors SerVaas, Borst, and Boyd. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$336,000 in the 2001 Budget of the City-County Council (Consolidated County Fund) for redistricting expenses related to councilmanic districts and caucus consulting fees, financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 317, 2001. Introduced by Councillors Dowden and Douglas. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves an appropriation of \$1,222,543 in the 2001 Budget of the Department of Public Safety, Police Division (Federal Grants and Police Service District Funds) to pay for various community policing programs and to purchase equipment needed to support such programs, financed by federal grants (Local cash match is \$51,210 and is funded by existing appropriations in the Department of Public Safety, Police Division's Budget)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 318, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$55,000 in the 2001 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund the Big City/County Seat Belt Enforcement Project in Marion County, funded by a grant from the Governor's Council on Impaired & Dangerous Driving & National Highway Traffic Safety Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 319, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$92,490 in the 2001 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to pay the salary and expenses for an Operating a Vehicle While Intoxicated (OVWI) Vehicular Homicide Deputy Prosecutor, funded by a grant from the Governor's Council on Impaired and Dangerous Driving National Highway Traffic Safety Administration (Local match is \$16,011 and is funded by an existing appropriation in the Prosecuting Attorney's Budget)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 320, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$550,620 in the 2001 Budget of the County Sheriff (County General Fund) to lease additional beds at CCA (Corrections Corporation of America) Jail II to relieve the overcrowded conditions at the lock-up, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Dowden made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 320, 2001, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on July 23, 2001.

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

PROPOSAL NO. 321, 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 \$153,070 in the 2001 Budget of the Department of Public Works, Engineering Division (Flood Control General Fund) to complete the Stormwater Master Plan, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 322, 2001. Introduced by Councillors Soards and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$676,000 in the 2001 Budget of the Department of Public Works, Engineering Division (State Grants and Redevelopment Tax Increment Financing Funds) to make infrastructure improvements near the Acterna (Wavetek Wandel Goldermann, Inc.) facility in the INTECH business park near 71st Street and I-465 in Pike Township, financed by a state grant and by a reduction in the Redevelopment Tax Increment Financing Fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 323, 2001. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$300,000 in the 2001 Budget of the Department of Public Works, Engineering Division (State Grants Fund) to make infrastructure improvements near Navistar International along Brookville Road, financed by a grant from the Indiana Department of Commerce (Local cash match is \$300,000 and is funded by existing appropriations in the Transportation General Fund Budget)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 324, 2001. Introduced by Councillors SerVaas and Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Cold Springs Road and Michigan Road (Districts 2, 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 325, 2001. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Loretta Drive and Fable Street (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 326, 2001. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Bradley Avenue at the Alley (121 South Bradley) (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 327, 2001. Introduced by Councillors Tilford, Langsford, and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Ritter Avenue, on the west side, from 10th Street to a point 185 feet north of 10th Street (Districts 12, 13, 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 328, 2001. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of sanitary district bonds in amount not to exceed \$95 million to finance various sewer projects"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 329, 2001. Introduced by Councillors SerVaas, Borst, and Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns the rules of the council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 330, 2001. Introduced by Councillors Boyd and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a Regional Transportation Authority"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 336, 2001, PROPOSAL NO. 337, 2001, PROPOSAL NOS. 338-339, 2001, and PROPOSAL NOS. 340-345, 2001. Introduced by Councillor Smith. Proposal No. 336, 2001, Proposal No. 337, 2001, Proposal Nos. 338-339, 2001, and Proposal Nos. 340-345, 2001 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 20, 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. 81-90, 2001, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 81, 2001.

2001-ZON-001

5741 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

DENNIS C. and DEBORAH J. RUMLEY request a rezoning of 1 acre, being in the SU-18 and D-A Districts, to the D-1 classification to provide for an addition to an existing single-family dwelling.

REZONING ORDINANCE NO. 82, 2001.

2001-ZON-027

3211 BRILL STREET (approximate address), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

TOM PERRY requests a rezoning of 3 acres, being in the D-3 District, to the D-5II classification to provide for two-family residential development.

REZONING ORDINANCE NO. 83, 2001.

2000-ZON-184

5228 WEST MINNESOTA STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17

BOYS & GIRLS CLUBS of INDIANAPOLIS, by Philip A. Nicely, requests a rezoning of 2.15 acres, being in the D-3 District, to the SU-34 classification to provide for a 10,980.5 square foot addition to an existing building and a parking lot associated with a boys and girls club.

REZONING ORDINANCE NO. 84, 2001.

2001-ZON-814

5061 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

INSIGHT ENGINEERING requests a rezoning of 1.47 acres, being in the D-8 District, to the C-4 classification to provide for a gasoline station and convenience store.

REZONING ORDINANCE NO. 85, 2001.

2001-ZON-028

8160 CLEARVISTA WAY (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

COMMUNITY HOSPITALS FOUNDATION, INC., by April Sparks Pyatt, requests a rezoning of 11.564 acres, being in the HD-2 District, to the HD-1 classification to provide for the construction of a 150,000 square foot cardiac care hospital and a 50,000 square foot physicians office.

REZONING ORDINANCE NO. 86, 2001.

2001-ZON-034 (Amended)

2349 NORTH DEQUINCY STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

REPPAC, LLC, by Arthur E. Johnson, requests a rezoning of 6.5 acres, being in the D-4 District, to the I-2-U classification to provide for industrial uses.

REZONING ORDINANCE NO. 87, 2001.

2001-ZON-045

8833 WEST MORRIS STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

THE METROPOLITAN SCHOOL DISTRICT OF WAYNE TOWNSHIP, by Steven B. Granner, requests a rezoning of 1.23 (±) acres, being in the D-P District to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 88, 2001.

2001-ZON-047 (2001-DP-003)

5545 NORTH EMERSON WAY (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4.

SPRINT SPECTRUM, L.P., by Matthew Hickey, requests a rezoning of 2.704 (±) acres, being in the D-P District, to the D-P classification, to replace and modify an existing rooftop communication tower to provide for a wireless communications facility.

REZONING ORDINANCE NO. 89, 2001.

2001-ZON-052

7050 EAST 21ST STREET (approximate address) INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

RAMADA LIMITED, by Edward Williams requests a rezoning of 2.842 (±) acres being in the C-2 and C-3 Districts, to the C-4 classification to conform the zoning of the property to the existing hotel use.

REZONING ORDINANCE NO. 90, 2001.

2001-ZON-811 (2001-DP-002)

4102 EAST 75th STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3

GBC DEVELOPMENT II, LLC, by Joseph D. Calderon, requests a rezoning of 7.052 acres, being in the D-A(FW)(FF) District, to the D-P(FW)(FF) classification to provide for eight single-family dwellings (1.13 units/acre).

PROPOSAL NO. 311, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 311, 2001 on June 11, 2001. The proposal is a final resolution for Marcy Village Apartments in an amount not to exceed \$8,100,000 which consists of the acquisition and rehabilitation of the existing 277-unit apartment complex located on an approximately 24 acre parcel of land at 4501 Marcy Lane (District 6). By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Smith and Moriarty Adams stated that they will need to abstain from voting on this proposal to avoid the appearance of a conflict of interest with their employers.

Councillor Coughenour moved, seconded by Councillor Black, for adoption. Proposal No. 311, 2001 was adopted on the following roll call vote; viz:

25 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Douglas, Dowden, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Nytes, Sanders, Schneider, SerVaas, Short, Soards, Talley, Tilford

0 NAYS:

4 NOT VOTING: Conley, Gibson, Moriarty Adams, Smith

Proposal No. 311, 2001 was retitled SPECIAL ORDINANCE NO. 6, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 2001

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Marcy Village Apartments), Series 2001 in the aggregate principal amount not to exceed Eight Million One Hundred Thousand Dollars (\$8,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

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

WHEREAS, a representative of English Village Associates, LLC, an Indiana limited liability company (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, rehabilitation, equipping and improvement of the existing 277-unit Marcy Village Apartments on an approximately 24 acre parcel of land located at 4501 Marcy Lane, Indianapolis, Indiana (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission (the "Commission") has rendered a report of the Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has been given the opportunity to comment thereon pursuant to Indiana code, Title 36, Article 7, Chapter 12, Section 23(b); and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, rehabilitation, equipping and improvement of the Project by issuing its City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Marcy Village Apartments), Series 2001 (the "Bonds") in the aggregate principal amount not to exceed Eight Million One Hundred Thousand Dollars (\$8,100,000); and

WHEREAS, the Commission, after a public hearing conducted on June 6, 2001 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") between the Issuer and Bank One Trust Company, National Association, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Financing Agreement (the "Financing Agreement") by and among the Issuer, the Company, the Trustee and Midland Mortgage Investment Corporation (the "Lender") for the purpose of financing or providing reimbursement for a portion of the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Financing Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the Issuer, the Company and the Trustee will enter into a Land Use Restriction Agreement (the "Land Use Restriction Agreement") which will govern the use of the Project; and

WHEREAS, the Issuer, the Company and the Trustee will enter into a Tax Regulatory Agreement (the "Tax Regulatory Agreement") to assure compliance with the Code; and

WHEREAS, the Issuer, the Company and U.S. Bancorp Piper Jaffray Inc., as representative of the underwriters (the "Underwriter") will enter into a Purchase Contract (the "Purchase Contract") regarding the sale of the Bonds; and

WHEREAS, the Underwriter will utilize a Preliminary Official Statement (the "Preliminary Official Statement") and an Official Statement (the "Official Statement") in connection with the offering and sale of the Bonds; and

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

WHEREAS, there have been submitted to the Commission for its approval substantially final forms of the (1) Indenture; (2) Financing Agreement; (3) Purchase Contract; (4) Preliminary Official Statement; (5) Land Use Restriction Agreement; (6) Tax Regulatory Agreement; (7) Bonds (hereinafter referred to collectively as the "Financing Documents"); and (8) this proposed form of special ordinance all of which were approved by the Commission by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

SECTION 2. The forms of the Financing Documents presented herewith (i) are hereby approved (ii) are incorporated herein and (iii) shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Eight Million One Hundred Thousand Dollars (\$8,100,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

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

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof plus accrued interest, if any, and at rates of interest not to exceed 12% per annum. The Bonds will mature no later than 40 years from their date of issuance.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents

requiring their signatures or imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

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

SECTION 8. The Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Code and regulations promulgated thereunder does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Company. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor to make the foregoing determination again for and on behalf of the Issuer at the request of the Company following receipt of supporting materials submitted by the Company or of the Indiana Housing Finance Authority ("IHFA") to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project, and (ii) the Project satisfied the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the purchasers thereof and on or about the date that each building of the Project is placed in service. In reliance upon the representations of the Company, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 9. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 312, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 312, 2001 on June 11, 2001. The proposal is a final resolution for the Indianapolis Electrical Joint Apprenticeship and Training Committee Project in an amount not to exceed \$3,000,000 which consists of acquiring, rehabilitating, constructing, furnishing, equipping and improving the existing 26,000 square foot building located on an approximately 3 acre parcel of land at 1701, 1735 and 1751 South Lawndale Avenue (District 19). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Coughenour, for adoption. Proposal No. 312, 2001 was adopted on the following roll call vote; viz:

27 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, 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: Dowden, Gibson

Proposal No. 312, 2001 was retitled SPECIAL ORDINANCE NO. 7, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 2001

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue \$3,000,000 City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 2001 (Indianapolis Electrical Joint Apprenticeship and Training Committee Project) (the "Bonds") and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 1 1.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership, trust or individual for the purpose of financing costs of

acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

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

WHEREAS, the Indianapolis Electrical Joint Apprenticeship and Training Committee, a non-profit trust (the "Applicant") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Applicant in order to enable the Applicant to finance certain capital assets, including, but not limited to, the acquisition, rehabilitation, renovation, construction and equipping of an existing 26,000 square foot building to which an additional 5,000 square feet will be added at 1751 South Lawndale, Indianapolis, Indiana, to be used for offices, classrooms and laboratories for the education and training of electricians (the "Project"); and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the Project by issuing not to exceed \$3,000,000 City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 2001 (Indianapolis Electrical Joint Apprenticeship and Training Committee Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 6, 2001, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of July 1, 2001 by and between the Issuer and National City Bank of Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Applicant pursuant to a Loan Agreement (the "Loan Agreement") dated as of July 1, 2001 between the Issuer and the Applicant for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Applicant of the loan of the proceeds of the Bonds pursuant to which the Applicant will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

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

WHEREAS, the Commission has heretofore approved the substantially final forms of the Trust Indenture; Loan Agreement; Remarketing Agreement; Promissory Note; Bond Purchase Agreement; and Offering Memorandum (hereinafter referred to collectively as the "Financing Documents") and has recommended for adoption this proposed form of special ordinance by a Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved, and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in one or more series and in the principal amounts not to exceed \$3,000,000 for the purpose of procuring funds to loan to the Applicant in order to finance or provide

reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Applicant pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The Mayor, the Clerk and the City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 96% and not more than 104% of the aggregate principal amount thereof plus accrued interest, if any, and at variable rates of interest not to exceed 10% per annum, as determined in accordance with Section 2.01 of the Indenture. The Bonds will mature no later than July 1, 2021. The Bonds shall be issued in denominations of \$100,000 and multiples of \$5,000 in excess thereof, in fully registered form and shall be redeemable as provided in Article IV of the Indenture.

SECTION 5. The Mayor and the Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchasers, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Offering Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Offering Memorandum is hereby authorized to certify to the underwriter, that the information in the Offering Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Offering Memorandum.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 181, 2001. Councillor Bradford reported that the Community Affairs Committee heard Proposal No. 181, 2001 on June 20, 2001. The proposal, sponsored by Councillors Bainbridge, and Black, authorizes the borrowing of \$20,000,000 to fund the anticipated deficit in the Family and Children Fund during the remainder of the 2001 fiscal year. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Bradford said that he believes something needs to be done through the State legislature to change this funding system, but despite all efforts, this has not yet been accomplished. He said that he will continue to work on getting legislature changed to address this issue. However, until that can be done, these next two proposals will have to sustain the Office of Family and Children and the good work that they do.

President SerVaas passed the gavel to Vice President Borst and gave a brief history of the Welfare Fund in Marion County. He said that the change happened when the welfare employees lobbied to become State employees. Therefore, the State spends the money, and at the end of the year gives Marion County a bill to pay. He added that this system is at fault, and Marion County has no say in how these funds are spent. He said that the Legislature is asking the City to raise their County Option Income Tax rate before even considering relief, but he believes State-run programs should be paid for by the State, and the bill should not be footed by people who have no say in how the funds are spent. He said that he will support these proposals because the money has already been spent, but this issue must be faced and resolved or this deficit will continue to increase. Vice President Borst returned the gavel to President SerVaas.

Councillor Talley said that it is easy for him to support this proposal, because if it does not pass, it will be the children and the families that are hurt most. He added that it will be more expensive later on, if the funding is not addressed at this time.

Councillor Bainbridge said that he has had a hard time deciding how to vote on this proposal, even though he voted in favor of it in Committee. He said that the City needs to do a better job of lobbying, and it is essential that this system be changed through the State legislature. He said that he reluctantly supports the proposal, because he sees no other solution under the current system.

Councillor Black said that the City has faced this problem for the last five years, and next year, this expense will rise to \$60 million. He said that while he is against raising taxes, it is important to protect the City's children, and if no legislative action is forthcoming, he would favor raising the taxes rather than letting the children suffer.

Councillor Borst commended Councillor Bradford for all his efforts with the State Legislature trying to right the wrong in this system. He said that he would like to vote against these proposals, but the alternatives of not passing it are even worse. This is an unfunded mandate from the State of Indiana, but the children are the ones caught in the middle, and the City needs to make sure the revenue is there to take care of them.

Councillor Massie said that the State has the power to increase expenditures above what is budgeted, with no accountability to anyone. In 1999, the State spent \$6 million over the budget, and \$9 million over budget in 2000. This represents 10% of the City's total budget to care for 2,000 children, averaging to approximately \$27,000 per child. He said that this situation needs to be remedied as soon as possible.

Councillor Boyd said that the City finds itself in a precarious predicament with not many options available. He said that he supports the proposals with the same types of reservations that have been expressed this evening, regarding finding a solution through the State Legislature.

Councillor Horseman said that it needs to be made clear that Governor Frank O'Bannon has supported the initiative to take this burden off of Indianapolis, and the Senate seems to be the bottleneck, which is not controlled by the same party as the Governor. Councillor Bradford said that if the Governor and the House of Representatives wanted this legislature bad enough, it would get done. He said that it is not about political parties or who is in office, but House Democrats are the ones who gutted the bill and are asking the City to raise their taxes. He said that it is time the State stopped playing political games and started taking care of their children.

Councillor Bradford asked Bob Swhier, legal counsel making an appeal on behalf of the Auditor, to explain the appeal that the County is currently involved in with this issue. Mr. Swhier said that

the County has filed with the State Tax Board requesting that they hold the welfare tax unconstitutional on the grounds that it is a State-mandated tax. As such, the Indiana Constitution requires that it be uniform throughout the State. This is not the way the system works now, and different counties are being taxed different percentages of their assessed value. He said that Lake County has also brought a similar case against the State, and he is optimistic regarding the outcome of this action. Councillor Bradford said that if the City is successful in this appeal, they will have the money to repay this loan.

President SerVaas called for public testimony at 9:02 p.m. There being no one present to testify, Councillor Bradford moved, seconded by Councillor Black, for adoption. Proposal No. 181, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 181, 2001, as amended, was retitled SPECIAL ORDINANCE NO. 8, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 2001

A SPECIAL ORDINANCE authorizing the County Auditor to borrow Twenty Million Dollars (\$20,000,000) from a financial institution on behalf of the County Office of Family and Children ("County Office") to pay for the County Office's obligations pursuant to IC 12-19-5 and appropriating the proceeds of the borrowing.

WHEREAS, the Marion County Director of the Office of Family and Children (the "County Director") has determined that the Family and Children's Fund (the "Fund") of Marion County, Indiana (the "County"), will be exhausted before the end of the fiscal year ending December 31, 2001; and

WHEREAS, the County Director has appealed to the Division of Family and Children of the Office of Family and Social Services (the "Division") for the right to borrow Twenty Million Dollars (\$20,000,000) on a short term basis to fund child services in the County which is the amount estimated by the County Director to fund the deficit; and

WHEREAS, in said appeal, the County Director has shown: (i) that the amount of money contained in the Fund will not be sufficient to fund services required to be provided within the County by IC 12-19-7-1; and (ii) that the County Director estimates that Twenty Million Dollars (\$20,000,000) will be needed to fund that deficit; and

WHEREAS, upon receipt of said appeal, the Division: (i) held a public hearing on the topic of whether the County should be allowed to borrow money, (ii) determined that the Fund will be exhausted before it can fund all County obligations incurred under IC 12-19-7-1, (iii) adopted a resolution at that meeting supporting the proposal to borrow Twenty Million Dollars (\$20,000,000), and (iv) transmitted said resolution to the County Director; and

WHEREAS, upon receipt of said resolution, the County Director submitted the appeal and the Division's resolution to the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), and the City-County Council is to determine whether or not to allow the County Office to borrow money; and

WHEREAS, the City-County Council now finds and determines that the appeal and request of the County Director to borrow money should be granted and that the County Office should be allowed to borrow money under IC 12-19-5; and

WHEREAS, the City-County Council hereby finds and determines that it will be necessary for the County to borrow Twenty Million Dollars (\$20,000,000) from a financial institution on behalf of the County and to issue notes in the aggregate principal amount of Twenty Million Dollars (\$20,000,000) (the "Notes"), in order to pay for the County Office's child welfare obligations during the fiscal year ending December 31, 2001, including payment of costs of issuance of the Notes; and

WHEREAS, the County Director has filed with the City-County Council an estimate and request showing that the unfunded cost of paying for the County Office's child welfare obligations during the fiscal year ending December 31, 2001, including payment of costs of issuance of the Notes, will be in the amount of Twenty Million Dollars (\$20,000,000) and that the County will be required to provide and appropriate said amount for the payment of said obligations; and

WHEREAS, the City-County Council hereby finds and determines that the County will not have sufficient moneys available or provided for in the existing budgets and tax levies which may be applied to pay for the County Office's child welfare obligations during the fiscal year ending December 31, 2001, including payment of costs of issuance of the Notes, making it a necessity for the making of the additional appropriation hereinafter set out; now therefore:

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

SECTION 1. The Auditor is hereby authorized and directed to borrow Twenty Million Dollars (\$20,000,000) from a financial institution on behalf of the County Office to pay for the County Office's welfare obligations during the fiscal year ending December 31, 2001, including payment of costs of issuance of any notes evidencing such borrowing. In order to procure this loan, this City-County Council is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation notes of the County, to be designated as "Marion County, Indiana, Family and Children's Fund General Obligation Notes of 2001," in the aggregate principal amount of Twenty Million Dollars (\$20,000,000) (the "Notes"). The Notes shall be issued in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five-Thousand Dollars (\$5,000) in excess of One-Hundred-Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the Notes maturing on any semi-annual maturity date, shall be numbered consecutively from 01R-1 upwards, and shall bear interest at a rate or rates not exceeding seven percent (7%) per annum (the exact rate or rates to be determined by negotiation with a financial institution (the "Bank") as determined by the Auditor), which interest shall be payable semi-annually on the thirtieth (30th) day of June and the thirty-first (31st) day of December of each year, commencing June 30, 2002. Interest shall be calculated on the basis of the actual number of days elapsed during a three-hundred, sixty-five (365) - day year. The Notes shall mature in two (2) semi-annual series, each series being payable on the dates and in the amounts as follows:

<u>Date</u>	<u>Principal Amount</u>
June 30, 2002	\$5,000,000
December 31, 2002	\$5,000,000
June 30, 2003	\$5,000,000
December 31, 2003	\$5,000,000

The principal of the Notes shall be payable at the office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on the Notes shall be paid by check or draft mailed or delivered to the registered owner thereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by such registered owner. All payments on the Notes shall be made in any coin or currency of the United States of America, which on the dates of such payments shall be legal tender for the payment of public and private debts.

Each Note shall be transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Note or Notes 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, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of Notes following the fifteenth (15th) day of the month of an interest payment date on the Notes until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name any Note is 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.

In the event any Note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new Note of like date, maturity and denomination as that mutilated, lost, stolen or

destroyed, which new Note shall be marked in a manner to distinguish it from the Note for which it was issued, provided that, in the case of any mutilated Note, such mutilated Note shall first be surrendered to the County and the Registrar, and, in the case of any lost, stolen or destroyed Note, there shall be first furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such lost, stolen or destroyed Note shall have matured, instead of issuing a duplicate Note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. In such event, the County and the Registrar may charge the holder of such Note with their reasonable fees and expenses in connection with the above. Every substitute Note issued by reason of any Note being lost, stolen or destroyed shall, with respect to such Note, constitute a substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Note 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 Notes duly issued hereunder.

The Notes shall bear an original date which shall be the day on which the Notes are initially delivered to the purchaser or purchasers thereof, and each Note shall also bear the date of its authentication. Notes authenticated on or before June 15, 2002, shall be paid interest from the original date. Notes authenticated thereafter shall be paid interest from the interest payment date next preceding the date of authentication of such Notes unless the Notes are authenticated between the fifteenth (15th) day of the month of an interest payment date and the interest payment date, in which case interest thereon shall be paid from such interest payment date.

The Notes shall be executed in the name of the County by the manual or facsimile signatures of the Board of Commissioners and attested by the manual or facsimile signature of the Auditor, who shall cause the official seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced on each of the Notes. Subject to the provisions for registration, the Notes shall be negotiable under the laws of the State of Indiana.

The Notes shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Note shall be valid or obligatory for any purpose until the certificate of authentication on such Note shall have been so executed.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of Notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of Notes shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

SECTION 2. The form and tenor of the Notes shall be substantially as follows (all blanks to be properly completed prior to the preparation of the Notes):

[Form of Note]
UNITED STATES OF AMERICA

State of Indiana County of Marion

No. 01R-___ \$ _____

MARION COUNTY, INDIANA
FAMILY AND CHILDREN'S FUND GENERAL OBLIGATION NOTE OF 2001

INTEREST MATURITY ORIGINAL AUTHENTICATION
RATE DATE DATE DATE

REGISTERED OWNER:

PRINCIPAL SUM:

The County of Marion, in the State of Indiana ("the County"), for value received, hereby acknowledges itself indebted and promises to pay 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 said principal sum to the registered owner of this note until the County's obligation with respect to the payment of said principal sum shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of the authentication of this note, unless this note is authenticated on or before June 15, 2002, in which case interest shall

be paid from the original date specified above, or unless this note is authenticated between the fifteenth (15th) day of the month of 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 on the thirtieth (30th) day of June and the thirty-first (31st) day of December of each year, commencing June 30, 2002. Interest shall be calculated on the basis of the actual number of days lapsed during a three hundred sixty-five (365)-day year.

The principal of this note is payable at the principal office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on this note shall be paid by check or draft mailed or delivered to the registered owner hereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by the registered owner. All payments on this note shall be made in any coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts. Subject to the provisions for registration this note is negotiable under the laws of the State of Indiana.

This note is one of an authorized issue of notes of the County of Marion, Indiana, aggregating Twenty Million Dollars (\$20,000,000), numbered consecutively from 01R-1 upwards, issued pursuant to the provisions of Title 12, Article 19, Chapter 5 of the Indiana Code (the "Act"), and in accordance with an ordinance adopted by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), on the ____ day of ____, 2001, entitled "Special Ordinance No. ____" (the "Ordinance"), authorizing the making of a loan by the City-County Council to pay for child welfare obligations of the County Office of Family and Children of Marion County during the fiscal year ending December 31, 2001, including payment of costs of issuance of said notes. Pursuant to the Act, the Auditor of Marion County, Indiana, is required to levy a property tax, beginning in 2002 and continuing for the term of the loan, in an amount each year that will be sufficient to pay the principal and interest due on the loan for the year.

This note is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered note or notes 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 to the registered owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of this note following the fifteenth (15th) day of the month of an interest payment date on this note until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name this note is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

In the event this note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new note of like date, maturity and denomination as this note, which new note shall be marked in a manner to distinguish it from this note, provided that, in the case of this note being mutilated, this note shall first be surrendered to the County and the Registrar, and, in the case of this note being lost, stolen or destroyed, there shall first be furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnify satisfactory to them. In the event that this note, being lost, stolen or destroyed, shall have matured, instead of issuing a duplicate note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay this note without surrender hereof. In such event, the County and the Registrar may charge the holder of this note with their reasonable fees and expenses in connection with the above. Every substitute note issued by reason of this note being lost, stolen or destroyed shall, with respect to this note, constitute a substitute contractual obligation of the County, whether or not this

note, being lost, stolen or destroyed, shall be found at any time, and shall be entitled to all the benefits of the Ordinance referred to above, equally and proportionately with any and all other notes duly issued thereunder.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of notes shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

The notes maturing on any semi-annual maturity date are issuable only in fully registered form in the denomination of One-Hundred-Thousand Dollars (\$100,000) or any integral multiple of Five-Thousand Dollars (\$5,000) in excess of One-Hundred-Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the notes maturing on such date.

The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the notes, adopt ordinances supplemental to the Ordinance (which supplemental ordinances shall thereafter form a part of the Ordinance) for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in the Ordinance or in any supplemental ordinance;
- (b) To grant to or confer upon the owners of the notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the notes;
- (c) To modify, amend or supplement the Ordinance to permit the qualification of the notes 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 to obtain or maintain bond insurance with respect to payments of principal of and interest on the notes;
- (d) To provide for the refunding or advance refunding of the notes;
- (e) To procure a rating on the notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the notes; or
- (f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the notes.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the County and the owners of the notes may (with certain exceptions as stated in the Ordinance) be modified or amended at any time with the consent of the owners of at least sixty percent (60%) in aggregate principal amount of outstanding notes, exclusive of notes, if any, owned by the County.

If this note or any portion hereof shall have become due and payable in accordance with its terms and the whole amount of the principal and interest so due and payable upon this note or such portion hereof 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) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event this note or such portion hereof shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this note have been done and performed in regular and due form as provided by law; that this note and said total issue of notes is within every limit of indebtedness provided by the constitution and laws of the State of Indiana, and that the full faith and credit of Marion County together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this note according to its terms.

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

IN WITNESS WHEREOF, the County of Marion, Indiana, has caused this note to be executed by the manual or facsimile signatures of its duly elected, qualified and acting Board of Commissioners and attested by the manual or facsimile signature of the duly elected, qualified and acting Auditor of Marion County, Indiana, who has caused the official corporate seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced hereon.

THE COUNTY OF MARION,
INDIANA

By: _____
Joan N. Romeril,
Commissioner

Gregory N. Jordan,
Commissioner

Martha A. Womacks,
Commissioner

THE BOARD OF
COMMISSIONERS OF THE
COUNTY OF MARION, INDIANA

(SEAL)

ATTEST:

Martha A. Womacks
Auditor, County of Marion, Indiana

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This note is one of the notes described in the within mentioned Ordinance.

TREASURER, COUNTY
OF MARION, INDIANA

Gregory N. Jordan

ASSIGNMENT

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

Dated: _____

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

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

[End of Note]

SECTION 3. As soon as can be done after the passage of this Ordinance, the Auditor shall negotiate for the sale of the Notes with a financial institution. The Notes shall be sold at any interest rate or rates not exceeding seven percent (7%) per annum, and may be subject to any premium or discount, all as determined through negotiation with the financial institution, consistent with the best interest of the County and the terms of this Ordinance.

Prior to the delivery of the Notes, the Auditor shall be authorized to obtain a legal opinion as to the validity of the Notes, and to furnish such opinion to the purchaser or purchasers of the Notes. The cost of such opinion may be considered as part of the costs of issuance of the Notes and paid out of proceeds of the Notes.

SECTION 4. The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the Notes, adopt ordinances supplemental hereto (which supplemental ordinances shall thereafter form a part hereof) for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance;
- (b) To grant to or confer upon the owners of the Notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the Notes;
- (c) To modify, amend or supplement this Ordinance to permit the qualification of the Notes 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 to obtain or maintain bond insurance with respect to payments of principal of and interest on the Notes;
- (d) To provide for the refunding or advance refunding of the Notes;
- (e) To procure a rating on the Notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Notes; or
- (f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the Notes.

This Ordinance and the rights and obligations of the County and the owners of the Notes may be modified or amended at any time by supplemental ordinances adopted by the City-County Council with the consent of the owners of the Notes holding at least sixty percent (60%) in aggregate principal amount of the outstanding Notes (exclusive of Notes, if any, owned by the County); provided, however, that no such modification or amendment shall, without the express consent of the owners of the Notes affected, reduce the principal amount of any Note, reduce the interest rate or premium payable thereon, advance the earliest redemption date, extend its maturity or the times for paying interest thereon, permit a privilege or priority of any Note or Notes over any other Note or Notes, create a lien securing any Notes other than a lien ratably securing all of the Notes outstanding, or change the monetary medium in which principal and interest are payable, nor shall any such modification or amendment reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment so consented to shall be binding upon all the owners of the Notes and shall not be deemed an infringement of any of the provisions of this Ordinance, and may be done and performed as fully and freely as if expressly permitted by the terms of this Ordinance, and, after such consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the City-County Council or any officer of the County from taking any action pursuant thereto.

If the City-County Council shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the respective owners of the Notes at their addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Notes. The Registrar shall not, however, be subject to any liability to any owners of the Notes by reason of its failure to mail the notice described in this Section 4, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as provided in this Section 4.

Whenever at any time within one (1) year after the date of the mailing of such notice, the City-County Council shall receive an instrument or instruments purporting to be executed by the owners of the Notes of not less than sixty percent (60%) in aggregate principal amount of the Notes then outstanding (exclusive of Notes, if any, owned by the County), which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City-County Council may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Notes, whether or not such owner shall have consented thereto.

Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 4, this Ordinance shall be, and be deemed to be, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such modifications and amendments.

SECTION 5. If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal and interest so due and payable upon the Notes or such 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) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event the Notes or such portion thereof shall no longer be deemed outstanding or an indebtedness of the County.

SECTION 6. In order to preserve the exclusion from gross income of interest on the Notes under federal law, the County represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

(a) No person or entity or any combination thereof, other than the County or any other governmental unit ("Governmental Unit") within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended and as in effect on the date of delivery of the Notes (the "Code"), will use any proceeds of the Notes or property financed by such proceeds other than as a member of the general public; and no person or entity or any combination thereof other than the County or any other Governmental Unit will own any property financed out of the proceeds of the Notes or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or other type of output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use of such property by the public at large;

(b) No Note proceeds will be lent to any entity or person; and no Note proceeds will be transferred directly or indirectly transferred or deemed transferred to a person other than a Governmental Unit in a fashion that would in substance constitute a loan of such Note proceeds;

(c) The County will not take any action or fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Notes (pursuant to Section 103(a) of the Code, and the City-County Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such exclusion; the County further covenants that it will not make any investment or do any other act or thing during the period that any Note is outstanding hereunder which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect

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on the date of delivery of the Notes; and the County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable;

(d) All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Notes are issued, and to make covenants on behalf of the County evidencing the County's commitments made herein and, in particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Notes are issued and (ii) the representations and covenants made herein by the County regarding the amount and use of the proceeds of the Notes; and

(e) The County is hereby authorized and directed to employ consultants and attorneys from time to time to advise the County with respect to the requirements under federal law for the continuing preservation of the exclusion of interest on the Notes from gross income for purposes of federal income taxation.

SECTION 7. Notwithstanding any other provision of this ordinance, any of the covenants and authorizations contained in this Ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income for purposes of federal income taxation (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 8. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday, or a day, on which banking institutions in the city in which the Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 9. The Auditor is hereby authorized and directed to have the Notes prepared and cause to be affixed thereto the official seal of the County, or to have printed or otherwise reproduced thereon a facsimile of such seal, and the Board of Commissioners and the Auditor are hereby authorized and directed to execute the Notes manually or with a facsimile of their signatures in the form and manner herein provided.

SECTION 10. The proceeds from the sale of the Notes, in the amount of Twenty Million Dollars (\$20,000,000), are hereby appropriated in Character 03 of the Family and Children's Fund for the benefit of the County Office of Family and Children for the fiscal year ending December 31, 2001, including payment of costs of issuance of the Notes.

SECTION 11. This Ordinance shall be in full force an effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 277, 2001. Councillor Bradford reported that the Community Affairs Committee heard Proposal No. 277, 2001 on June 20, 2001. The proposal, sponsored by Councillors Bainbridge and Black, approves an increase of \$20,000,000 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. By a 4-3 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 9:03 p.m. There being no one present to testify, Councillor Bradford moved, seconded by Councillor Black, for adoption. Proposal No. 277, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 277, 2001, as amended, was retitled FISCAL ORDINANCE NO. 69, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 2001

A FISCAL ORDINANCE amending the Marion County Office of Family and Children Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Twenty Million Dollars (\$20,000,000) in the Family and Children Fund for purposes of the Marion County Office of Family and Children and reducing the unappropriated and unencumbered balance in the Family and Children 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 Marion County Office of Family and Children Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Office of Family and Children to meet expenses for the remainder of year 2001.

SECTION 2. The sum of Twenty Million Dollars (\$20,000,000) 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 OFFICE OF FAMILY AND CHILDREN</u>	<u>FAMILY AND CHILDREN FUND</u>
3. Other Services and Charges	<u>20,000,000</u>
TOTAL INCREASE	20,000,000

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

	<u>FAMILY AND CHILDREN FUND</u>
Unappropriated and Unencumbered Family and Children Fund	<u>20,000,000</u>
TOTAL REDUCTION	20,000,000

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 Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 212, 2001 on May 2 and 23, 2001. The proposal 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.

President SerVaas called for public testimony at 9:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 212, 2001 was adopted on the following roll call vote; viz:

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

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Proposal No. 212, 2001 was retitled FISCAL ORDINANCE NO. 70, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Two Hundred Ninety-five Thousand Dollars (\$295,000) in the Adult Probation Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the Adult Probation 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 pay for programming in the JUSTIS system for bookkeeping enhancements.

SECTION 2. The sum of Two Hundred Ninety-five Thousand Dollars (\$295,000) 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>ADULT PROBATION FUND</u>
3. Other Services and Charges	<u>295,000</u>
TOTAL INCREASE	295,000

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

	<u>ADULT PROBATION FUND</u>
Unappropriated and Unencumbered Adult Probation Fund	<u>295,000</u>
TOTAL REDUCTION	295,000

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

PROPOSAL NO. 248, 2001. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 248, 2001 on June 6, 2001. The proposal 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 match is \$441,935 and is funded by existing appropriations in the IPD, Sheriff, and Auditor Budgets). By a 5-2 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 9:09 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 248, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 248, 2001, as amended, was retitled FISCAL ORDINANCE NO. 71, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) in the State and Federal Grants Fund for purposes of the County Auditor and the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b, bb) 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 the Marion County Justice Agency to appropriate the Metro Drug Task Force Grant.

SECTION 2. The sum of Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) 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	31,814
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	224,460
3. Other Services and Charges	<u>188,826</u>
TOTAL INCREASE	445,100

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>445,100</u>
TOTAL REDUCTION	445,100

SECTION 5. The local match of \$441,935 is funded by the following existing appropriations in the IPD, Sheriff, and Auditor Budgets and are hereby approved:

	<u>POLICE SERVICE DISTRICT FUND</u>
Existing appropriation for IPD	
1. Personal Services	<u>395,867</u>
TOTAL	395,867
	<u>COUNTY GENERAL FUND</u>
Existing appropriation for the Sheriff	
1. Personal Services	40,076
Existing appropriation for the Auditor	
1. Personal Services – fringes	<u>5,992</u>
TOTAL	46,068
 TOTAL MATCH	 441,935

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 278-280, 2001 on June 6, 2001. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 278, 2001. The proposal approves an increase of \$95,000 in the 2001 Budgets of County Auditor and Prosecuting Attorney (State and Federal Grants Fund) for DUI 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 an existing appropriation in the County Auditor's Budget). PROPOSAL NO. 279, 2001. The proposal 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) (Local match is \$50,000 and is funded by existing appropriations in the County Auditor and Marion County Justice Agency Budgets). PROPOSAL NO. 280, 2001. The proposal 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). By 7-0 votes, the Committee reported Proposal Nos. 278 and 280, 2001 to the Council with the recommendation that they do pass and Proposal No. 279, 2001 to the Council with the recommendation that it do pass as amended.

President SerVaas called for public testimony at 9:14 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Massie, for adoption. Proposal Nos. 278 and 280, 2001 and Proposal No. 279, 2001, as amended, were adopted on the following roll call vote; viz:

24 YEAS: Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gray, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Smith, Soards, Tilford

0 NAYS:

5 NOT VOTING: Bradford, Gibson, Horseman, Short, Talley

Proposal No. 278, 2001 was retitled FISCAL ORDINANCE NO. 72, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Ninety-five Thousand Dollars (\$95,000) 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 for DUI (driving under the influence) enforcement in Marion County. This state grant will be funded through the Prosecutor's Office and will include other law enforcement agencies.

SECTION 2. The sum of Ninety-five Thousand Dollars (\$95,000) 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	60
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	32,846
3. Other Services and Charges	<u>62,094</u>
TOTAL INCREASE	95,000

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>95,000</u>
TOTAL REDUCTION	95,000

SECTION 5. The local match of \$2,953 is funded by the following existing appropriation in the County Auditor's Budget:

	<u>COUNTY GENERAL FUND</u>
Existing appropriation for the County Auditor	
1. Personal Services - fringes	<u>2,953</u>
TOTAL MATCH	2,953

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

Proposal No. 279, 2001, as amended, was retitled FISCAL ORDINANCE NO. 73, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional One Hundred Sixty Thousand Eight Hundred Six Dollars (\$160,806) in the State and Federal Grants Fund for purposes of the County Auditor 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, 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 and Marion County Superior Court to fund the Marion Superior Court Drug Treatment Diversion Program.

SECTION 2. The sum of One Hundred Sixty Thousand Eight Hundred Six Dollars (\$160,806) 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	31,500
 <u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	<u>129,306</u>
TOTAL INCREASE	160,806

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	160,806
TOTAL REDUCTION	160,806

SECTION 5. The local match of \$50,000 is funded by the following existing appropriations in the Marion County Justice Agency and County Auditor Budgets and are hereby approved:

	<u>DRUG FREE COMMUNITY FUND</u>
Existing appropriation for the Marion County Justice Agency	
I. Personal Services	40,000
TOTAL	40,000
Existing appropriation for the County Auditor	
I. Personal Services-Fringes	10,000
TOTAL	10,000
 TOTAL MATCH	 50,000

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

Proposal No. 280, 2001 was retitled FISCAL ORDINANCE NO. 74, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Two Hundred Fifty-eight Thousand Three Hundred Seventy Dollars (\$258,370) in the County General Fund for purposes of the County Auditor, Clerk of the Circuit Court, Marion County Public Defender Agency, Prosecuting Attorney, and County Sheriff and reducing the unappropriated and unencumbered balance in the County 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 1.02(b,d,u,v,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 Auditor, Clerk of the Circuit Court, Marion County Public Defender Agency, Prosecuting Attorney, and County Sheriff to provide support services for the new Initial Hearing Court.

SECTION 2. The sum of Two Hundred Fifty-eight Thousand Three Hundred Seventy Dollars (\$258,370) be, and the same is hereby appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
I. Personal Services-fringes	36,516
TOTAL INCREASE	36,516

CLERK OF THE CIRCUIT COURT

1. Personal Services	17,000
2. Supplies	300
3. Other Services and Charges	840
4. Capital Outlay	<u>3,286</u>
TOTAL INCREASE	21,426

MARION COUNTY PUBLIC DEFENDER AGENCY

1. Personal Services	50,000
2. Supplies	773
3. Other Services and Charges	12,820
4. Capital Outlay	<u>17,540</u>
TOTAL INCREASE	81,133

PROSECUTING ATTORNEY

1. Personal Services	50,000
2. Supplies	773
3. Other Services and Charges	12,820
4. Capital Outlay	<u>17,540</u>
TOTAL INCREASE	81,133

COUNTY SHERIFF

1. Personal Services	29,062
2. Supplies	200
3. Other Services and Charges	4,000
4. Capital Outlay	<u>4,900</u>
TOTAL INCREASE	38,162

TOTAL FOR ALL AGENCIES 258,370

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>258,370</u>
TOTAL REDUCTION	258,370

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

PROPOSAL NO. 281, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 281, 2001 on June 21, 2001. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 9:16 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 281, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 281, 2001 was retitled FISCAL ORDINANCE NO. 75, 2001, and reads as follows:

June 25, 2001

CITY-COUNTY FISCAL ORDINANCE NO. 75, 2001

A FISCAL ORDINANCE of the City of Indianapolis and the County of Marion, Indiana, appropriating in the Advanced Wastewater Treatment Facilities Reserve Fund for the purpose of making capital expenditures for the City's advanced wastewater treatment plant

WHEREAS, the City-County Council created a special fund designated as the "advanced wastewater treatment facilities reserve" in 1985; and

WHEREAS, the fund is for capital expenditures for the repair, remodeling, addition to or replacement of major facilities at the city's advanced wastewater treatment plant; and

WHEREAS, the capital expenditures shall be limited to capital equipment with an anticipated usable life in excess of at least fifteen (15) years; and

WHEREAS, the replacement cost of the capital expenditures is in excess of Two Hundred Thousand Dollars (\$200,000); and

WHEREAS, the fund has a Five Million Eight Hundred Sixty-one Thousand One Hundred One Dollars (\$5,861,101) balance; and

WHEREAS, the city has identified capital expenditures necessary at the advanced wastewater treatment plant for the proper operation of such plant that meet the requirement of the fund; now, therefore:

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

SECTION 1. The Department of Capital Asset Management (now DPW) has determined the following capital projects are reasonable and necessary for the proper operation of the advanced wastewater treatment plant:

a. Sludge Incinerator Rehab for Belmont AWT (Design)	\$180,000
b. Structural repairs & Odor Control at Southport AWT (Design)	580,000
c. Southport Cryogenic Oxygen Upgrade / Belmont VSA Unit (Design)	550,000
d. Effluent Filter Rehabilitation at Belmont and Southport AWT (Design)	<u>100,000</u>
Total Project	1,410,000

SECTION 2. The Department of Capital Asset Management (now DPW) is authorized to take any actions it determines necessary or appropriate to complete the project listed in Section 1, but shall not be authorized to add additional projects not listed, without approval of the City-County Council. Upon the completion of an individual project, the un-used balance of the project shall revert back to the fund balance.

SECTION 3. The appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the capital projects described in Section 1 above. Any surplus of each individual project shall be credited to the Advanced Wastewater Treatment Facilities Reserve Fund.

SECTION 4. The sum of One Million Four Hundred Ten Thousand Dollars (\$1,410,000) is hereby appropriated for the purposes set forth in Section 1.

ADVANCED WASTEWATER
TREATMENT FACILITIES RESERVE FUND

Unappropriated and Unencumbered	
Advanced Wastewater Treatment Facilities Reserve Fund	<u>1,410,000</u>
TOTAL REDUCTION	1,410,000

SECTION 5. The appropriation is funded by reducing the balance in the Advanced Wastewater Treatment Facilities Reserve Fund.

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

PROPOSAL NO. 282, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 282, 2001 on June 21, 2001. The proposal, sponsored by Councillors

Coughenour and Moriarty Adams, 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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 9:18 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 282, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 282, 2001 was retitled FISCAL ORDINANCE NO. 76, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Two Million Seventy-five Thousand Dollars (\$2,075,000) in the Sanitation Liquid Waste Fund for purposes of the Department of Capital Asset Management (now Department of Public Works) and reducing the unappropriated and unencumbered balance in the Sanitation Liquid Waste Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes the Department of Capital Asset Management (now Department of Public Works) to begin design and study phases of projects related to the Combined Sewer Overflow program.

SECTION 2. The sum of Two Million Seventy-five Thousand dollars (\$2,075,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SANITATION LIQUID WASTE FUND</u>
3. Other Services and Charges	850,000
4. Capital Outlay	<u>1,225,000</u>
TOTAL INCREASE	2,075,000

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

	<u>SANITATION LIQUID WASTE FUND</u>
Unappropriated and Unencumbered	
Sanitation Liquid Waste Fund	<u>2,075,000</u>
TOTAL DECREASE	2,075,000

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

PROPOSAL NO. 308, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 308, 2001 on June 19, 2001. The proposal, sponsored by Councillor Smith, approves an increase of \$60,383 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. By a 5-0 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 9:19 p.m. There being no one present to testify, Councillor Coonrod moved, seconded by Councillor Smith, for adoption. Proposal No. 308, 2001, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 308, 2001, as amended, was retitled FISCAL ORDINANCE NO. 77, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Sixty Thousand Three Hundred Eighty-three Dollars (\$60,383) in the County General Fund for purposes of the Franklin Township Assessor County and reducing the unappropriated and unencumbered balance in the County 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 1.02(h) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of funding the relocation of the Franklin Township Assessor's Office (one-time expense of \$24,913) and the increase in operating expenses due to the relocation (\$35,470).

SECTION 2. The sum of Sixty Thousand Three Hundred Eighty-three Dollars (\$60,383) be, and the same is hereby appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	32,383
4. Capital Outlay	<u>28,000</u>
TOTAL INCREASE	60,383

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>60,383</u>
TOTAL REDUCTION	60,383

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 217, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 217, 2001 on May 17 and June 21, 2001. The proposal, sponsored by Councillors Boyd, Coughenour, Bainbridge, Conley, and Soards, provides an alternative to Barrett Law funding for sanitary sewer projects. By a 6-0 vote, the Committee reported the

proposal to the Council with the recommendation that it be stricken. Councillor Coughenour moved, seconded by Councillor Boyd, to strike. Proposal No. 217, 2001 was stricken on the following roll call vote; viz:

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

PROPOSAL NO. 307, 2001. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 307, 2001 on June 19, 2001. The proposal, sponsored by Councillor Smith, determines the need to lease office space at 5319 South Emerson Avenue for the Franklin Township Assessor. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coonrod moved, seconded by Councillor Smith, for adoption. Proposal No. 307, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 307, 2001 was retitled SPECIAL RESOLUTION NO. 44, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 2001

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 4500 square feet of office space at 5319 South Emerson Avenue Street, Indianapolis, Indiana, for the Franklin Township Assessor.

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

SECTION 1. The city-county council, pursuant to IC 36-I-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Franklin Township Assessor is necessary.

SECTION 2. The property to be leased is located at 5319 South Emerson Avenue, Indianapolis, Indiana, and is owned by Thomas M. Mascari.

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

PROPOSAL NO. 283, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 283, 2001 on June 21, 2001. The proposal, sponsored by Councillor Coonrod, authorizes intersection controls and multi-way stops in the Moorings Subdivision (District 5). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Coonrod, for adoption. Proposal No. 283, 2001 was adopted on the following roll call vote; viz:

June 25, 2001

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

0 NAYS:

2 NOT VOTING: Horseman, Schneider

Proposal No. 283, 2001 was retitled GENERAL ORDINANCE NO. 55, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7	Eastwind Ln Northwind Dr	None	All Way Stop
7	Lakewind Dr Leeward Blvd	None	All Way Stop
7	Lakewind Dr Southwind Dr	None	All Way Stop
7	Leeward Blvd Moorings Blvd	None	All Way Stop
7	Moorings Blvd Northwind Dr	None	All Way Stop
7	Lakewind Ct Lakewind Dr	Lakewind Dr	Yield
7	Leeward Blvd Leeward Cir	Leeward Blvd	Yield
7	Leeward Blvd Southwind Dr	Southwind Dr	Stop
7	Moorings Blvd 96 th St	96 th St	Stop
7	Mud Creek Rd Northwind Dr	Mud Creek Rd	Stop
7	Mud Creek Rd Southwind Dr	Mud Creek Rd	Stop
7	Northwind Cir Northwind Dr	Northwind Dr	Stop
7	Southwind Cir Southwind Dr	Southwind Dr	Stop
7	Southwind Ct Southwind Dr	Southwind Dr	Stop

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

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 284-297, 2001 on June 21, 2001. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 284, 2001. The proposal, sponsored by Councillor Smith, authorizes intersection controls for the Meadow Bend Subdivision (District 23). PROPOSAL NO. 285, 2001. The proposal, sponsored by Councillors Black and Bradford, authorizes a multi-way stop at 51st Street and Winthrop Avenue (Districts 6, 7). PROPOSAL NO. 286, 2001. The proposal, sponsored by Councillor Soards, authorizes intersection controls at Innovation Boulevard and Woodland Drive and at Innovation Boulevard and 79th Street (District 1). PROPOSAL NO. 287, 2001. The proposal, sponsored by Councillor Knox, authorizes intersection controls at Vandalia Avenue and Warman Avenue (District 17). PROPOSAL NO. 288, 2001. The proposal, sponsored by Councillor Knox, authorizes a multi-way stop at Foltz Street and Oliver Avenue (District 17). PROPOSAL NO. 289, 2001. The proposal, sponsored by Councillor Knox, authorizes a multi-way stop at Ray Street and Worth Street (District 17). PROPOSAL NO. 290, 2001. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at St. Clair Street and Tremont Street (District 16). PROPOSAL NO. 291, 2001. The proposal, sponsored by Councillor Tilford, authorizes a multi-way stop at 32nd Street and Elmhurst Drive (District 12). PROPOSAL NO. 292, 2001. The proposal, sponsored by Councillor Boyd, authorizes a multi-way stop at Far Hill Road and Roxbury Road (District 11). PROPOSAL NO. 293, 2001. The proposal, sponsored by Councillor Bainbridge, authorizes multi-way stops at Midvale Drive and Patricia Street and at Midvale Drive and Thrush Drive (District 8). PROPOSAL NO. 294, 2001. The proposal, sponsored by Councillor Bainbridge, authorizes a multi-way stop at Beauport Road and Falcon Drive (District 8). PROPOSAL NO. 295, 2001. The proposal, sponsored by Councillor Bainbridge, 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). PROPOSAL NO. 296, 2001. The proposal, sponsored by Councillor Brents, authorizes the removal of rush hour parking restrictions on the east side of Illinois Street between Washington Street and New York Street (District 16). PROPOSAL NO. 297, 2001. The proposal, sponsored by Councillor Brents, authorizes a change in the bus stop zone on Ohio Street near Illinois Street (District 16). By a 6-0 vote, 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. 284-297, 2001 were adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Gibson

Proposal No. 284, 2001 was retitled GENERAL ORDINANCE NO. 56, 2001, and reads as follows:

June 25, 2001

CITY-COUNTY GENERAL ORDINANCE NO. 56, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Frye Rd Meadow Bend Dr (E)	Frye Rd	Stop
48	Frye Rd Meadow Bend Dr (W)	Frye Rd	Stop
48	Hunters Meadow Ct Meadow Bend Dr	Meadow Bend Dr	Stop
48	Hunters Meadow Way Meadow Bend Dr	Meadow Bend Dr	Stop
48	Meadow Bend Cir Meadow Bend Dr	Meadow Bend Dr	Stop
48	Meadow Bend Dr Meadow Bend Ln	None	All Way Stop
48	Meadow Bend Ln Rocky Meadows Pl Rocky Meadows Ct	Meadow Bend Ln Rocky Meadows Pl	Stop

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

Proposal No. 285, 2001 was retitled GENERAL ORDINANCE NO. 57, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 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>
18	51 ST St Winthrop Av	Winthrop Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	51 ST St Winthrop 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.

Proposal No. 286, 2001 was retitled GENERAL ORDINANCE NO. 58, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9	Innovation Blvd Woodland Dr	Woodland Dr	Stop
9	Innovation Blvd 79 th St	79 th Street	Stop

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

Proposal No. 287, 2001 was retitled GENERAL ORDINANCE NO. 59, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31	Vandalia Av Warman Av	Warman Av	Stop

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

Proposal No. 288, 2001 was retitled GENERAL ORDINANCE NO. 60, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 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>
30	Foltz St Oliver Av	Oliver	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>
30	Foltz St Oliver 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.

Proposal No. 289, 2001 was retitled GENERAL ORDINANCE NO. 61, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 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>
30	Ray St Worth St	Worth St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Ray St Worth St	None	All Way Stop

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

Proposal No. 290, 2001 was retitled GENERAL ORDINANCE NO. 62, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 44I-4I6, Schedule of intersection controls.

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

SECTION I. The "Revised Code of the Consolidated City and County," specifically, Sec. 44I-4I6, 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>
24	St. Clair St Tremont St	Tremont St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 44I-4I6, 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>
24	St. Clair St Tremont St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 291, 2001 was retitled GENERAL ORDINANCE NO. 63, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 44I-4I6, 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. 44I-4I6, 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>
20	32 nd St Elmhurst Dr	Elmhurst Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 44I-4I6, 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>
20	32 nd St Elmhurst Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 292, 2001 was retitled GENERAL ORDINANCE NO. 64, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 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 I. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Far Hill Rd Roxbury Rd	Roxbury Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Far Hill Rd Roxbury Rd	None	All Way Stop

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

Proposal No. 293, 2001 was retitled GENERAL ORDINANCE NO. 65, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 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 I. 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>
16	Midvale Dr Patricia St	Patricia St	Yield
16	Midvale Dr Thrush Dr	Midvale Dr	Yield

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>
16	Midvale Dr Patricia St (EB)	None	All Way Stop
16	Midvale Dr Patricia St (WB)	None	All Way Stop
16	Midvale Dr Thrush Dr	None	All Way Stop

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

Proposal No. 294, 2001 was retitled GENERAL ORDINANCE NO. 66, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 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>
16	Beauport Rd Falcon Dr	Falcon Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16	Beauport Rd Falcon Dr	None	All Way Stop

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

Proposal No. 295, 2001 was retitled GENERAL ORDINANCE NO. 67, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-323, Alteration of prima facie speed limits; and Sec. 441-364, Trucks on certain streets restricted.

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

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SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the deletion of the following, to wit:

35 MPH

Sixteenth Street, from Cunningham Road to Lafayette Road

Cunningham Road, from Crawfordsville Road to *Sixteenth Street*

Lynhurst Drive, from Tenth Street to Twenty-fifth Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

35 MPH

Sixteenth Street, from Lynhurst Drive to Lafayette Road

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Sixteenth Street, from Cunningham Road to Lynhurst Drive

Cunningham Road, from Sixteenth Street to Twenty-first Street

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

Proposal No. 296, 2001 was retitled GENERAL ORDINANCE NO. 68, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAY AND SUNDAY

from 6:00 a.m. to 9:00 a.m.

from 3:00 p.m. to 6:00 p.m.

Illinois Street, on the east side, from Washington Street to New York Street

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

Proposal No. 297, 2001 was retitled GENERAL ORDINANCE NO. 69, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-402, Bus stop and trolley stop zones.

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. 621-402, Bus stop and trolley stop zones, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the south side, from a point 54 feet east of Illinois Street, to a point 133 feet east of Illinois Street (79 feet)

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-402, Bus stop and trolley stop zones, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the south side, from Illinois Street to a point 133 feet east of Illinois Street (133 feet)

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

NEW BUSINESS

Councillor Talley stated that there were some questions at the last meeting concerning funding for a music therapy program. He said that he provided information in Councillors' mailboxes regarding this program and a visit will be scheduled in the fall when school starts again for those who are interested.

Councillor Nytes invited Councillors to the groundbreaking ceremony for the Home Ownership Zone on Friday, July 6, 2001, and stated that invitations should be in each Councillor's mailbox.

Councillor Cockrum stated that a pep rally will be held on Monday, July 16, 2001 at Garfield Park for the Scarborough Peace Games, which will begin July 20 in Scarborough, Canada.

Councillor Boyd stated that he will be the Administration and Finance Committee's minority appointee to the Taxi Regulation Sub-Committee, and he asked that information of this meeting be sent to him.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillors Soards and Gibson in memory of George Cafouros; and
- (2) Councillor Soards in memory of Jacob Corpenny Sipe III; and
- (3) Councillor Smith in memory of Fred Heckman; and
- (4) Councillor Knox in memory of Richard Kinnick and Gale Armantrout.

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 George Cafouros, Jacob Corpenny Sipe III, Fred Heckman, Richard Kinnick, and Gale Armantrout. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the

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permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:35 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th 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)