

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

**REGULAR MEETINGS
MONDAY, AUGUST 27, 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 7:22 p.m. on Monday, August 27, 2001, with President SerVaas presiding.

Councillor Moriarty Adams introduced her brother, Father Joseph Moriarty, who led the opening prayer. Councillor Moriarty Adams then invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

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

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

Journal of the City-County Council

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, August 27, 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

August 8, 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, August 10, 2001, a copy of a Notice of Public Hearing on Proposal Nos. 411-413, 2001, said hearing to be held on Monday, August 27, 2001, at 7:00 p.m. in the City-County Building.

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

August 17, 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. 85, 2001 - approves an increase of \$20,021 in the 2001 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to continue the Arrestee Drug Abuse Monitoring Program (ADAM), funded by a federal grant

FISCAL ORDINANCE NO. 86, 2001 - approves an increase of \$881,777 in the 2001 Budgets for the County Auditor and Community Corrections (State and Federal Grants Fund) to appropriate the Community Corrections Grant for 2001/2002 from the Indiana Department of Corrections

FISCAL ORDINANCE NO. 87, 2001 - approves an increase of \$210,077 in the 2001 Budgets for the County Auditor and Community Corrections (State and Federal Grants Fund) to fund the Juvenile Court Intensive Probation Program for fiscal year 2001-2002, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 89, 2001 - approves a transfer of \$60,000 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to pay contractual services for operating the heating and cooling systems and the computerized fountain and humidifying systems at the Garfield Park Conservatory and Sunken Gardens facility, financed by a transfer between characters

GENERAL ORDINANCE NO. 74, 2001 - authorizes employer/employee cooperation procedures for city and county employees

GENERAL ORDINANCE NO. 75, 2001 - concerns the rules of the council

GENERAL ORDINANCE NO. 76, 2001 - allows Indianapolis Police Department to retain retired sworn officers as reserves

GENERAL RESOLUTION NO. 6, 2001 - approves the issuance of sanitary district bonds in amount not to exceed \$95 million to finance various sewer projects

SPECIAL RESOLUTION NO. 54, 2001 - honoring the survivors of the USS INDIANAPOLIS

SPECIAL RESOLUTION NO. 55, 2001 - approves invitation for sister city relationship with Piran, Slovenia

SPECIAL RESOLUTION NO. 56, 2001 - recognizes the 11 Gold Awards to Indianapolis' White River Environmental Partnership for perfect compliance with national environmental discharge regulations

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SPECIAL RESOLUTION NO. 57, 2001 - commends those who successfully worked out the historic new city-county collective bargaining procedures

SPECIAL RESOLUTION NO. 58, 2001 - extension of an inducement resolution originally passed in January 2000, which project consists of the acquisition of the existing structures, equipment and fixtures located on an 8.1 acre parcel of land at 4910 West 86th Street, construction and equipping of additional facilities thereon and the acquisition, construction and equipping of facilities to be located on a 20-acre parcel of land located at 4535 West 86th Street (District 1)

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 August 6, 2001. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 493, 2001. The proposal, sponsored by Councillor Coughenour, recognizes Tabernacle Presbyterian Church for their 150th Anniversary. Councillor Coughenour said that she will present this resolution to representatives at a later celebration. She moved, seconded by Councillor Bradford, for adoption. Proposal No. 493, 2001 was adopted by a unanimous voice vote.

Proposal No. 493, 2001 was retitled SPECIAL RESOLUTION NO. 59, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 2001

A SPECIAL RESOLUTION recognizing Tabernacle Presbyterian Church for their 150th Anniversary

WHEREAS, from modest beginnings in 1851, ten years before the Civil War, on the corner of Ohio and Illinois Streets, what is now Tabernacle Presbyterian Church began its active ministry; and

WHEREAS, now located at 34th Street and Central Avenue, "Tab" as the Church is affectionately called, continues its 150 year tradition of compassionate and faithful ministry and of active outreach; and

WHEREAS, today in the neighborhood Tabernacle Presbyterian supports an extensive youth sports program that emphasizes character education and sportsmanship and that encourages individuals to build up rather than to tear down, hosts two chemical dependency recovery groups, partners with Mid North Food Pantry to distribute food, co-sponsors a health fair, runs a strong video ministry, as well as a host of other outreaches; and

WHEREAS, Tab supports missions and missionaries abroad, and a mission close at home at Indiana University geared to foreign students, and this Fall Tab plans to send a team of local parishioners to visit its Sister Church in Romania; and

WHEREAS, within the local congregation, the Church is known for its program of music, pastoral care, Christian education, and for its influence to change people's lives for the better; and

WHEREAS, two times a week Tab runs a soup kitchen, as well as a clinic across the street for the neighborhood; 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 congratulates Tabernacle Presbyterian Church for its positive impact upon the citizens of Indianapolis and in far corners of the world during the past 150 years.

SECTION 2. The members and friends of Tab can take great pride in their several generations of vital and meaningful heritage, but appreciate that all of this is only a prelude to even greater challenges and ministries that are still yet 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. 494, 2001. The proposal, sponsored by Councillors Nytes, Douglas, and Gray, recognizes the 75th Anniversary of Douglass Golf Course. Councilor Nytes read the proposal and presented representatives with copies of the document and Council pins. Councillors Gray and Douglas invited Council members to the celebration activities on the course where each learned to play golf. Thaddeus Gray, golf pro at Douglass, thanked the Council for the recognition and invited all to attend the celebration. Councilor Nytes moved, seconded by Councilor Gray, for adoption. Proposal No. 494, 2001 was adopted by a unanimous voice vote.

Proposal No. 494, 2001 was retitled SPECIAL RESOLUTION NO. 60, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 2001

A SPECIAL RESOLUTION recognizing the 75th Anniversary of Douglass Golf Course

WHEREAS, Douglass Golf Course, 2801 Dr. Andrew J. Brown Avenue on the city's near-northeast side, has served the people of Indianapolis since 1926, 20 mayor's ago; and

WHEREAS, Douglass was developed in the days of segregation to provide the only local golfing opportunity for blacks to be able to participate in one of the few sports that can be enjoyed from youth until well into one's retirement years; and

WHEREAS, local talents such as George A. Roddy who taught and coached at Crispus Attucks after serving as Captain of the University of Iowa Golf Team, Johnny Green, Sr., the first African-American to become a PGA Professional in Indiana, Forest Tom Jones, a member of the 1962 I.U. Big Ten Championship Team who integrated the Indiana Golf Association, and many others developed their talents and skills at Douglass; and

WHEREAS, the Indianapolis Parks Department has made significant investments in Douglass Golf Course to bring the facilities up to the quality of other public courses across the city; and

WHEREAS, today the Course offers three different youth programs as well as a caddy training program and the "Dollar Golf" program offered through Indy Parks to develop a new generation of golfers, is the home of a strong program of senior golfers, and provides an important recreational venue for the City's near-northeast side; 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 Douglass Golf Course and its PGA Professional Thaddeus Gray on the occasion of the 75th Anniversary of the Course.

SECTION 2. The Council urges parents and coaches, golfers and teachers throughout the City to support the efforts of our young people to develop their golfing skills in order that they too may enjoy the challenge and recreation offered by this fine sport.

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SECTION 3. The Council encourages citizens to attend the anniversary celebration that marks another chapter in the heritage of our City.

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

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

President SerVaas said that Councillor Boyd, the sponsor of Proposal No. 495, 2001, is out of the room at the moment, and asked for consent to move Proposal No. 495, 2001 later in the agenda. Consent was given.

PROPOSAL NO. 442, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 442, 2001 on August 16, 2001. The proposal appoints R. Bruce Wallace to the Air Pollution Control Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 442, 2001 was adopted by a unanimous voice vote.

Proposal No. 442, 2001 was retitled COUNCIL RESOLUTION NO. 68, 2001, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 2001

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

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

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

R. Bruce Wallace

SECTION 2. The appointment made by this resolution is for a term ending June 3, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 362, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$99,112 in the 2001 Budgets for the County Auditor and Community Corrections (Home Detention Fund) to fund personnel positions, home detention equipment and office supplies for the first half of fiscal year 2001-2002, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 461, 2001. Introduced by Councillors Coonrod and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$10,000 in the 2001 Budget of the Cable Communications Agency (Consolidated County Fund) to fund equity salary adjustments for six employees and to cover unanticipated unemployment compensation expenses"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 462, 2001. Introduced by Councillors Coonrod and Nytes. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$50,000 to Indiana University for the purpose of financing educational access

programming on the educational access channels of the franchised cable systems in Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 463, 2001. Introduced by Councillors Coonrod and Nytes. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$25,000 to Indiana Reading and Information Services to provide radio reading programs for the blind and print-disabled in Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 464, 2001. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 284 square feet of office space at the Forest Manor Multi-Service Center, 5603 East 38th Street, for home-detention personnel of the Marion County Community Corrections Agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 465, 2001. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$40,000 in the 2001 Budget of the Marion County Children's Guardian Home (County General Fund) to pay for the unanticipated increase in utilities and other contractual services"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 466, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which prohibits sidewalk cafe sale areas from blocking handicap ramps"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 467, 2001. Introduced by Councillors Soards and Gibson. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which urges support of a Federal Aviation Administration grant for the Indianapolis International Airport's new midfield terminal complex"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 468, 2001. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$105,000 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to fund a summer lunch program at 17 different sites, financed by federal funds"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 469, 2001. Introduced by Councillors Cockrum, Massie, and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$35,000 in the 2001 Budget of the Department of Parks and Recreation (Park General Fund) to finance the purchase of additional park maintenance vehicles, financed by a reduction in fund balance"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 470, 2001. Introduced by Councillors Soards and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$100,000 in the 2001 Budget of the Department of Parks and Recreation (State Grants Fund) for expansion of the Northwestway Park playground and for installation of fitness equipment along the trail inside the park, financed by a grant from the Build Indiana Fund"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 471, 2001. Introduced by Councillors Cockrum and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$37,800 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to fund the exotic vegetation removal and habitat restoration in WISH Park, located at 2602 Westlane Road, financed by federal funds"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 472, 2001. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$60,000 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to establish after school programs for children at IPS Forest Manor Middle School and IPS William J. Gambold Middle School No. 108, financed by federal funds"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 473, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$321,672 in the 2001 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to provide continued funding for the operation of the Prosecutor's Office Victim Advocate Program, funded by a grant from the Indiana Criminal Justice Institute (Local match is funded by existing appropriations in the County Auditor and Prosecuting Attorney's budgets.)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 474, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$95,799 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding the operation of Violence Against Women/Domestic Violence support services at the Salvation Army, funded by a grant from the Indiana Criminal Justice Institute. (Victims of Crime Act funds) (This is a pass through grant.)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 475, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$45,352 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding for the Julian Center's therapist program, funded by an Indiana Criminal Justice Institute grant (This is a pass through grant.)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 476, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$42,609 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding the operation of the Child's Haven (a waiting room for children for families of domestic violence), funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 477, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$346,062 in the 2001 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to provide support for the efforts of the Adult Protective Services Unit, funded by a grant from Family and Social Services Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 478, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$231,400 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding for sexual assault examinations by the Centers of Hope (St. Francis, Wishard, Community East, St. Vincent, and Methodist Hospitals), funded by a grant from the Indiana Criminal Justice Institute (This is a pass through grant.); and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 479, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$112,707 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding of the Child Interviewer/Family Resource Coordinator (Safe Families Program) at the Marion County Family Advocacy Center, funded by a grant from Indiana Criminal Justice Institute (This is a pass through grant.); and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 480, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$104,511 in the 2001 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue funding the Marion County Family Advocacy Center's Domestic Violence/Protective Order Advocates Program, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 481, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$22,792 in the 2001 Budget of Community Corrections (Home Detention User Fee Fund) to lease office space in the Forest Manor Multi-Service Center to be used to house three home detention officers who will supervise offenders within the area, funded by a reduction in the fund balance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 482, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$52,500 in the 2001 Budget of the Marion County Justice Agency (Law Enforcement Equitable Share Fund) to fund the purchase of laptop computers for the Marion County Sheriff's Department, funded by the Sheriff's portion of the Law Enforcement Equitable Share Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 483, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$23,625 in the 2001 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to fund the Pathway to Recovery program, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 484, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$28,357 in the 2001 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to assist the Julian Center in funding the Respite Care Program for Children, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 485, 2001. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$75,000 in the 2001 Budget of the Marion County Superior Court, Juvenile Division (County General Fund) to fund the increase in appropriation for food for the remainder of 2001, funded by revenue from School Lunch Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 486, 2001. Introduced by Councillors Dowden and, Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a reappropriation of \$90,976 in the 2001 Budget of the Department of Public Safety, Emergency Management Planning Division (Federal Grants Fund) for purchase of a Mobile Level Lab trailer which will be used in response to incidents involving weapons of mass destruction and which will house equipment associated with the city's domestic terrorism response program, financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 487, 2001. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$100,000 in the 2001 Budget of the Department of Public Safety, Police Division (City Cumulative Capital Development Fund) for design of a new facility for the IPD Mounted Patrol unit, including housing for the horses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 488, 2001. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$36,500 in the 2001 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to purchase food and other supplies for the animals cared for at the city's animal shelter facility"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 489, 2001. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which requires that the placement of speed humps on residential streets must be approved by the council"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 490, 2001. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Ida Street and Warman Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 491, 2001. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes two-way traffic flow on Carrollton Avenue between 15th Street and 16th Street (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 492, 2001. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Olga Villa Parra to the Board of Ethics"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 496, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 497, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 498, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 499, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 500, 2001. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation"; and the President referred it to the Municipal Corporations Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 502, 2001, PROPOSAL NO. 503, 2001, PROPOSAL NOS. 504-508, 2001, and PROPOSAL NOS. 509-510, 2001. Introduced by Councillor Smith. Proposal No. 502, 2001, Proposal No. 503, 2001, Proposal Nos. 504-508, 2001, and Proposal Nos. 509-510, 2001 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on August 22, 2001. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 126-134, 2001, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 126, 2001.

2001-ZON-817

6081 EAST 82ND STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4

ZIRP-CASTLETON, LLC, by J. Taggart Birge, requests a rezoning of 122.13 acres, being in the C-3, C-4, C-7, and I-2-S Districts, to the C-S classification to provide for development and redevelopment of an office-commercial-industrial business park.

REZONING ORDINANCE NO. 127, 2001.

2001-ZON-068

7515 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

JENBOB, INC., d/b/a ACE RENT A CAR, by Michael J. Kias, requests a rezoning of 0.73 acre, being in the C-4 District, to the C-5 classification to provide for an automobile leasing business.

REZONING ORDINANCE NO. 128, 2001.

2001-ZON-074

873 WEST 28TH STREET AND 856, 862, 866, 867, 870, 871, 872, 873, AND 904 WEST 27TH STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

P.B.C. MINISTRIES, INC., by Andrew A. Kleiman, requests a rezoning of 1.71 acres, being in the D-5 (W-5) District, to the SU-1 (W-5) classification, to provide for religious uses and a youth center, with off-site parking.

REZONING ORDINANCE NO. 129, 2001.

2001-ZON-078

5520 WEST 38TH STREET (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

McBRIDE AND DUDLEY, LTD. requests a rezoning of 1.581 acres, being in the D-4, D-7 and C-4 Districts, to the C-4 classification to provide for the construction of a 15,400-square foot, Salvation Army Thrift Store with 59 off-street parking spaces.

REZONING ORDINANCE NO. 130, 2001.

2001-ZON-080

430 WEST FALL CREEK PARKWAY NORTH DRIVE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

CHRIST TEMPLE APOSTLIC CHURCH requests a rezoning of 0.75 acre, being in the D-8 District to the SU-1 classification to provide for religious uses in an existing building.

REZONING ORDINANCE NO. 131, 2001.

2001-ZON-083

1632, 1634, AND 1638 SOUTH MERIDIAN STREET (approximate addresses), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25

FRANK UPANO, by Stephen Hlatky, requests a rezoning of 0.25 acre, being in the D-8 and C-1 Districts, to the C-3 classification to provide for a tavern and grill.

REZONING ORDINANCE NO. 132, 2001.

2001-ZON-839 (2001-DP-008)

5786 MOLLER ROAD (approximate address), INDIANAPOLIS

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

DAVIS HOMES, by Thomas Michael Quinn, requests a rezoning of 4.01 acres, being in the D-P District, to the D-P classification to provide for 26 dwelling units in 13 buildings (6.48 units/acre).

REZONING ORDINANCE NO. 133, 2001.

2001-ZON-081

7050 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

CM LAND MANAGEMENT, by James N. Scahill, requests a rezoning of 0.49 acre, being in the D-4 District, to the C-5 classification to provide for commercial development.

REZONING ORDINANCE NO. 134, 2001.

2001-ZON-830

1638 SHELBY STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

NELSON GUM, by Ray Good, requests a rezoning of 0.566 acre, being in the I-3-U District, to C-3 classification to provide for the expansion of retail operations in a 1,525 square foot addition to an existing gasoline service station.

PROPOSAL NO. 460, 2001. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 460, 2001 on August 13, 2001. The proposal is for final action and public hearing for Nora Pines Apartments in an amount not to exceed \$10,500,000 which consists of the renovation, rehabilitation and continued operation as a multifamily rental property of the existing 254-unit apartment complex on approximately a 15-acre parcel of land located at 8921 Compton Street (District 3). By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider said that this project is in his district and he is still opposed to using this type of funding for a project that is in the shape this property is in. He asked for Councillors' support in denying this petition.

Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 460, 2001 was adopted on the following roll call vote; viz:

19 YEAS: Bainbridge, Black, Boyd, Brents, Cockrum, Conley, Coughenour, Douglas, Gibson, Gray, Horseman, Langsford, McWhirter, Moriarty Adams, Nytes, Sanders, SerVaas, Short, Tilford

7 NAYS: Borst, Bradford, Coonrod, Knox, Massie, Schneider, Smith

3 ABSENT: Dowden, Soards, Talley

Proposal No. 460, 2001 was retitled SPECIAL ORDINANCE NO. 9, 2001, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 2001

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue \$10,000,000 City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 2001 (Nora Pines Apartments Project) and \$500,000 City of Indianapolis, Indiana Taxable Multifamily Housing Revenue Bonds, Series 2001 (Nora Pines Apartments Project) (collectively, the "Bonds") 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, 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, Allied Pacific Development, Inc., on behalf of Nora Pines Partners, L.P., a to-be-formed limited partnership (the "Borrower") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Borrower in order to enable the Borrower to finance certain capital assets, including, but not limited to, the acquisition, rehabilitation, renovation, construction and equipping of an existing apartment complex with a total of 254 units, located on approximately 15 acres, at 8921 Compton Street, in Indianapolis, Indiana (the "Project"); and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the Project by issuing not to exceed \$10,000,000 City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 2001 (Nora Pines Apartments Project) and \$500,000 City of Indianapolis, Indiana Taxable Multifamily Housing Revenue Bonds, Series 2001 (Nora Pines Apartments Project) (collectively, the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 8, 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 September 1, 2001 by and between the Issuer and an Indiana financial institution, as Trustee (the "Trustee") in order to obtain funds to lend to the Borrower pursuant to a Loan Agreement (the "Loan Agreement") dated as of September 1, 2001 between the Issuer and the Borrower 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 Borrower of the loan of the proceeds of the Bonds pursuant to which the Borrower 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 Official Statement (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 Borrower 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 Borrower will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act, including in particular the requirement of promoting a substantial likelihood of creating or retaining opportunities for gainful employment. Furthermore, it is hereby found that the Project, which consists of the acquisition and rehabilitation of Nora Pines Apartments by the Borrower, will further a public purpose of the Issuer through, among other things, the provision of quality, affordable, multifamily housing and services to the tenants.

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 \$10,500,000 for the purpose of procuring funds to loan to the Borrower 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 Borrower 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 the Indenture. The Bonds will mature no later than September 1, 2041. 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 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 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 Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Official Statement is hereby authorized to certify to the underwriter, that the information in the Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Official Statement.

SECTION 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.

SECTION 9. The Issuer hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, 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 Borrower. 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 of the City of Indianapolis to review and make the foregoing determination again for and on behalf of the Issuer at the request of the Borrower, following receipt of supporting materials submitted by the Borrower to the Indiana Housing Finance Authority ("IHFA") and either written representations of the Borrower or of 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 satisfies 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 is placed in service. In reliance upon the representations of the Borrower, 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.

SPECIAL ORDERS - PUBLIC HEARING ON PROPOSED BUDGETS COMMITTEE OF THE WHOLE COUNCIL

President SerVaas called for public testimony on the following budget ordinances and resolutions, but stated that no action is scheduled to be taken by the Council this evening.

PROPOSAL NO. 443, 2001. The proposal is the annual budget for the Police Special Service District for 2002. PROPOSAL NO. 444, 2001. The proposal is the annual budget for the Fire Special Service District for 2002. PROPOSAL NO. 445, 2001. The proposal is the annual budget for the Solid Waste Collection Special Service District for 2002. PROPOSAL NO. 448, 2001. The proposal is the Annual Budget for 2002 for the Consolidated City and appropriates the amounts set forth herein for the purposes specified. PROPOSAL NO. 449, 2001. The proposal is the Annual Budget for 2002 for certain constitutional officers of Marion County and appropriates the amounts set forth herein for the purposes specified. PROPOSAL NO. 450, 2001. The proposal is the Annual Budget for 2002 for certain Marion County judicial and law enforcement agencies and appropriates the amounts set forth herein for the purposes specified. PROPOSAL NO. 451, 2001. The proposal is the Annual Budget for 2002 for certain county agencies and appropriates the amounts set forth herein for the purposes specified. PROPOSAL NO. 452, 2001. The proposal is the annual budget for the Metropolitan Emergency Communications Agency for 2002. PROPOSAL NO. 453, 2001. The proposal is appropriates the amounts necessary for

payments for city sinking funds for the calendar year 2002. PROPOSAL NO. 454, 2001. The proposal is appropriates the amounts necessary for payments from the Revenue Bonds Debt Service Funds for 2002. PROPOSAL NO. 455, 2001. The proposal allocates certain miscellaneous revenues of the Consolidated City and Marion County to respective funds. PROPOSAL NO. 456, 2001. The proposal is the annual budget for the Marion County Office of Family and Children for 2002. PROPOSAL NO. 457, 2001. The proposal determines the tax levy for 2002 for each fund of the Consolidated City and Marion County. PROPOSAL NO. 458, 2001. The proposal authorizes the payment of certain dues for the city and county offices and agencies. PROPOSAL NO. 496, 2001. The proposal reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District. PROPOSAL NO. 497, 2001. The proposal reviews, modifies, and approves the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County. PROPOSAL NO. 498, 2001. The proposal reviews, modifies, and approves the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County. PROPOSAL NO. 499, 2001. The proposal reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board. PROPOSAL NO. 500, 2001. The proposal reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation.

There being no one present to testify, President SerVaas asked for consent to proceed with the agenda. Consent was given.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 402, 2001. President SerVaas stated that Proposal No. 402, 2001 was called out for public hearing on July 23, 2001 at the request of Councillor Dowden. The proposal, sponsored by Councillor Smith, proposes to rezone 0.23 acre at 5235 East 64th Street in Washington Township, Councilmanic District 4, being in the C-S District to the C-3 classification to provide for an oil change business (2001-ZON-826).

Councillor Smith made the following motion:

Mr. President:

I am pleased to report that the parties involved in the rezoning at 5235 East 64th Street have reached a compromise, and it will not be necessary to have a hearing on this matter; therefore, I move that Proposal No. 402, 2001 (Rezoning Petition No. 2001-ZON-826) be adopted incorporating therein the additional commitments dated August 23, 2001.

Councillor McWhirter seconded the motion, and Proposal No. 402, 2001 was adopted by the following roll call vote; viz:

24 YEAS: Bainbridge, Black, Borst, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Gibson, Gray, Horseman, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Tilford

0 NAYS:

2 NOT VOTING: Boyd, Knox

3 ABSENT: Dowden, Soards, Talley

Proposal No. 402, 2001 was retitled for identification as REZONING ORDINANCE NO. 135, 2001, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 135, 2001.

2001-ZON-826

5235 EAST 64TH STREET (approximate address), INDIANAPOLIS

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4

MLE II, L.L.C., by Thomas Michael Quinn, requests a rezoning of 0.23 acre, being in the C-S District, to the C-3 classification to provide for an oil change business.

PROPOSAL NO. 358, 2001. In Councillor Dowden's absence, Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 358, 2001 on July 25 and August 8, 2001. The proposal, sponsored by Councillor Dowden, approves an increase of \$42,020 in the 2001 Budget of the Marion County Superior Court (State and Federal Grant Fund) to provide treatment to Community Court defendants, funded by a state grant through Community Addiction Services of Indiana. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 358, 2001 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Boyd*

3 ABSENT: *Dowden, Soards, Talley*

Proposal No. 358, 2001 was retitled FISCAL ORDINANCE NO. 91, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance No. 105, 2000) appropriating an additional Forty-two Thousand Twenty Dollars (\$42,020) in the State and Federal Grants Fund for purposes of the 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(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 provide treatment for Community Court defendants.

SECTION 2. The sum of Forty-two Thousand Twenty Dollars (\$42,020) 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>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>42,020</u>
TOTAL INCREASE	42,020

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>42,020</u>
TOTAL REDUCTION	42,020

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

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

PROPOSAL NO. 411, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 411, 2001 on August 9, 2001. The proposal, sponsored by Councillors Cockrum and Douglas, approves a reappropriation of \$71,457 in the 2001 Budget of the Department of Parks and Recreation (State Grants Fund) to fund the following expenses: demolition of old buildings at Carson Park, site grading and seeding, and professional engineering services, financed by a grant from the Build Indiana Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 411, 2001 was adopted on the following roll call vote; viz:

24 YEAS: Bainbridge, Black, Borst, Bradford, Brents, Cockrum, Conley, Coonrod, Douglas, Gibson, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Tilford

0 NAYS:

2 NOT VOTING: Boyd, Coughenour

3 ABSENT: Dowden, Soards, Talley

Proposal No. 411, 2001 was retitled FISCAL ORDINANCE NO. 92, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) reappropriating Seventy-one Thousand Four Hundred Fifty-seven Dollars (\$71,457) in the State Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the State Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation to fund the following expenses: demolition of old buildings at Carson Park, site grading and seeding, and professional engineering services.

SECTION 2. The sum of Seventy-one Thousand Four Hundred Fifty-seven Dollars (\$71,457) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>STATE GRANTS FUND</u>
3. Other Services and Charges	26,000
4. Capital Outlay	<u>45,457</u>
TOTAL INCREASE	71,457

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	71,457
TOTAL REDUCTION	71,457

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

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

PROPOSAL NO. 412, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 412, 2001 on August 9, 2001. The proposal, sponsored by Councillors Cockrum, Massie, and Douglas, approves a reappropriation of \$27,774 in the 2001 Budget of the Department of Parks and Recreation (State Grants Fund) to purchase a heating, ventilation and cooling system at the Garfield Conservatory, and a compressor at the Perry Ice Rink, financed by grants from the Build Indiana Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Massie, for adoption. Proposal No. 412, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 412, 2001 was retitled FISCAL ORDINANCE NO. 93, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) reappropriating Twenty-seven Thousand Seven Hundred Seventy-four Dollars (\$27,774) in the State Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the State Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to fund (1) a heating, ventilation and cooling system at the Garfield Conservatory, and (2) a compressor at the Perry Ice Rink.

SECTION 2. The sum of Twenty-seven Thousand Seven Hundred Seventy-four Dollars (\$27,774) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>STATE GRANTS FUND</u>
4. Capital Outlay	<u>27,774</u>
TOTAL INCREASE	27,774

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	<u>27,774</u>
TOTAL REDUCTION	27,774

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

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

PROPOSAL NO. 413, 2001. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 413, 2001 on August 9, 2001. The proposal, sponsored by Councillors Cockrum, SerVaas, and Douglas, approves an appropriation of \$7,718 in the 2001 Budget of the Department of Parks and Recreation (Federal Grants Fund) to purchase a hexagon shelter and steel frame cupola as part of a Juan Solomon Park restoration project, financed by grant from the U.S. Department of the Interior. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 413, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 413, 2001 was retitled FISCAL ORDINANCE NO. 94, 2001, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 2001

A FISCAL ORDINANCE amending the City-County Annual Budget for 2001 (City-County Fiscal Ordinance 105, 2000) appropriating Seven Thousand Seven Hundred Eighteen Dollars (\$7,718) in the Federal Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 2001 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation to purchase a hexagon shelter and steel frame cupola as part of a Juan Solomon Park restoration project.

SECTION 2. The sum of Seven Thousand Seven Hundred Eighteen Dollars (\$7,718) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PARKS AND RECREATION	<u>FEDERAL GRANTS FUND</u>
2. Materials and Supplies	908
4. Capital Outlay	6,810
TOTAL INCREASE	7,718

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	7,718
TOTAL REDUCTION	7,718

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

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 353, 2001. Councillor Coonrod stated that he did not vote with the prevailing side, and therefore asked Councillor Tilford to give the Committee report. Councillor Tilford reported that the Administration and Finance Committee heard Proposal No. 353, 2001 on August 7, 2001. The proposal, sponsored by Councillors Dowden and Bradford, determines the need to lease office space at 6640 Intech Boulevard for the Marion County Cooperative Extension Service. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Tilford moved, seconded by Councillor Bradford, for adoption. Proposal No. 353, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 353, 2001 was retitled SPECIAL RESOLUTION NO. 62, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 2001

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 12,837 square feet of office space at 6640 Intech Boulevard, Indianapolis, Indiana for the Marion County Cooperative Extension Service.

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

SECTION I. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Marion County Cooperative Extension Service is necessary.

August 27, 2001

SECTION 2. The property to be leased is located at 6640 Intech Boulevard, Indianapolis, Indiana, and is owned by INTECH Partners Ten, LLC. The following individuals own a ten percent (10%) or greater interest in INTECH Partners Ten, LLC: Robert L. Lauth; Gregory Gurnick; Larry Palmer.

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

PROPOSAL NO. 356, 2001. Councillor Smith reported that the Public Safety and Criminal Justice Committee heard Proposal No. 356, 2001 on August 8, 2001. The proposal, sponsored by Councillors Massie, Bainbridge, Borst, Dowden, Gray, Knox, McWhirter, Nytes, SerVaas, Soards, Talley, and Tilford, clarifies the provisions of the Code which prohibit persons from soliciting occupants of vehicles located on the traveled portion of streets, and allows the first violation in a twelve-month period to be paid administratively. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Massie said that this is a matter of safety, and law enforcement personnel, including the Director of the Department of Public Safety, Robert Turner, completely support this proposal. He said that this proposal is an attempt to eliminate the threat to the public safety of both motorists and people who may be soliciting.

President SerVaas said that it is not normal procedure to allow for a public hearing during the final adoption portion of the Council agenda. However, he said that there is a group in attendance this evening who feel they have not been heard on this issue and were not aware of the public hearing dates before the Committee. Councillor Boyd said that the group represented this evening is the Nation of Islam, and although allowing public testimony at this time is unusual and not within the policies and procedures of this Council, he feels it is significant enough to allow a spokesperson for the group a few minutes to address the Council. President SerVaas asked for consent to allow a member of the Nation of Islam 10 minutes for public comment. Consent was given.

Minister Mohammed Damon, Nation of Islam, said that it is the building of people that makes a City world class and not the building of buildings. He said that the Nation of Islam is a group that does not have a lot of money to contribute to the building of sports structures and other economic efforts of the City, but they have a lot of faith and are committed to changing lives. He said that the Nation of Islam is allowed to make a living in other world-class cities, and he feels they should be afforded the same right here. He said that normally true public safety issues are based on historical fact, yet there have been no incidents affecting public safety caused by his group in seven years, and he does not believe this is truly a public safety issue. He said that he does not believe the Council has weighed the value of what groups like the Nation of Islam do in the City when considering this proposal. He said that he feels allowing solicitation with some strict guidelines and agreements would be a better compromise than eliminating solicitation altogether. He said that the Nation of Islam is able to encourage young people and stop them from making horrible, irrevocable, life-changing decisions, such as abortion, suicide, and murder. He said that by pulling a clean, upright, self-respecting group out of the sight of their people, the Council is affecting the future of black people in Indianapolis. He said that he believes that those groups who are conducting themselves in a professional manner should not be penalized, and instead, some type of licensing or street etiquette program may be a better way to accomplish the Council's objective.

Councillor Boyd moved, seconded by Councillors Black and Conley, to postpone Proposal No. 356, 2001 until September 10, 2001.

Councillor Conley said that he has not had an opportunity to view the good works that this group is able to do and has not looked at their efforts in this light. He said that he believes the proposal needs further review in light of this information.

Councillor Gibson agreed and said that he believes the Council has not had the opportunity to see the whole picture of how passage of this proposal may impact the community at large.

Councillor Massie said that he does not support the motion to postpone. He said that the Public Safety and Criminal Justice Committee has had two separate public hearings on this issue, as well as additional testimony given tonight by making an exception to the Rules of the Council. He said that he agrees that the Nation of Islam makes a significant impact on the community, but still feels there are public safety issues. He said that he believes this practice is unsafe and it has gone on long enough. He said that it is not right to set public policy and then continue to make exceptions to the rules. He said that even though there have not been any incidents in seven years, he does not want to wait for one to take place before making such a restriction. He believes, along with Director Turner, that this is a public safety issue, and this group is not being singled out. He said that there is still room for dialogue after passage, and he believes further action can always be taken to accommodate groups like the Nation of Islam, such as instituting pull-off areas.

Councillor Bradford agreed and said that this has been a problem for several years. He said that he does not believe that a religion gives a group of people special rights to be exempt from certain laws of public safety. He said that he thinks major thoroughfares are not the proper places to be soliciting, and there are other, better venues.

Councillor Horseman thanked Minister Damon for sharing and said that she does not want to make a decision based on a historical fact either, after someone has gotten hurt. However, she believes another public hearing is warranted to give some discussion to some possible compromises. If after such the public safety officials still support the ban, she will also support it.

Councillor Black said that if this group has operated for seven years without a safety incident, he believes it is not a matter of safety, but rather a matter of denying this group economic means to support themselves. He says that he opposes the proposal.

Councillor Short said that he has thought about this issue a great deal and he works with a number of organizations that have benefited from being able to solicit at crossroads. He said, however, that he does feel it is a distraction and that public safety is the most important factor to consider in this instance. He urged his fellow Councillors to support the proposal and move forward with a vote this evening.

The motion to postpone Proposal No. 356, 2001 failed on the following roll call vote; viz:

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

Councillor Smith moved, seconded by Councillor Massie, for adoption. Proposal No. 356, 2001, as amended, was adopted on the following roll call vote; viz:

18 YEAS: Bainbridge, Borst, Bradford, Cockrum, Coonrod, Coughenour, Douglas, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Nytes, Schneider, SerVaas, Short, Smith, Tilford

8 NAYS: Black, Boyd, Brents, Conley, Gibson, Gray, Horseman, Sanders

3 ABSENT: Dowden, Soards, Talley

Proposal No. 356, 2001, as amended, was retitled GENERAL ORDINANCE NO. 77, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 2001

PROPOSAL FOR A GENERAL ORDINANCE to amend the "Revised Code of the Consolidated City and County" regarding certain activities conducted within the vehicle traffic lanes and on the medians of city streets.

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

SECTION 1. Section 431-111 of the "Revised Code of the Consolidated City and County," regarding interfering with the traveling public, hereby is REPEALED.

SECTION 2. Chapter 431 of the "Revised Code of the Consolidated City and County," regarding streets, sidewalks, and public ways, hereby is amended by the addition of a NEW Article VII, to read as follows:

ARTICLE VII. SOLICITATION IN ROADWAYS

Sec. 431-701. Definitions.

The words used in this article shall have the meanings ascribed to them in Section 441-101 of the Code.

Sec. 431-702. Prohibited activity in roadways.

It shall be unlawful for a pedestrian to sit, stand or move within or upon a roadway, or a median between two roadways, for the purpose of or while engaged in:

- (1) Soliciting, peddling, selling, advertising, donating, or distributing any product, property, or service, including but not limited to tickets, handbills, newspapers, or other printed material, to or from an occupant of a vehicle in the roadway; or,
- (2) Conversation or discourse with an occupant of a vehicle in the roadway.

Sec. 431-703. Interference with vehicular traffic.

It shall be unlawful for a person to solicit, peddle, sell, advertise, donate, or distribute any product, property, or service, including but not limited to tickets, handbills, newspapers, or other printed material, to an occupant of a vehicle within or upon a roadway, or to engage in conversation or discourse with an occupant of a vehicle within or upon a roadway, so as to:

- (1) Endanger the safety or welfare of an occupant of a vehicle within or upon a roadway, or a pedestrian on within the immediate vicinity;
- (2) Impede the free flow of vehicular traffic on the roadway; or,
- (3) Obstruct or distract the view of the driver of any such vehicle within or upon a roadway.

Sec. 431-704. Enforcement and penalties.

A person's first violation of this article in a twelve-month period shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of this Code. A person's second and subsequent violations in a twelve-month period are subject to the enforcement procedures and penalties provided in Section 103-3 of this Code.

SECTION 3. Sec. 103-52 of the "Revised Code of the Consolidated City and County," regarding the schedule of Code provisions and penalties, hereby is amended by the addition of the language which is underscored, to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load - first offense in calendar year	50.00
391-302	Unlawful noise - first offense in calendar year	50.00
391-303	Noisy house - first offense in calendar year	50.00
407-103	Loitering - first offense in calendar year	50.00
431-108	Parking prohibited for street repairs and cleaning	12.50
431-314	Premises address violation - second offense in calendar year	25.00
431-602	Bicycles - second and subsequent violations regarding children under twelve	50.00
431-603	Unlawful operation of bicycle - first violation	50.00
<u>431-703</u>	<u>Prohibited activity in roadways - first offense in twelve-month period</u>	<u>25.00</u>
<u>431-704</u>	<u>Interference with vehicular traffic - first offense in twelve-month period</u>	<u>25.00</u>
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	12.50
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	12.50
441-407	Display of unauthorized traffic controls	12.50
441-408	Interference with traffic control devices	12.50
441-503	Consumption or possession by operator of motor vehicle first offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages first offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large - first offense in twelve month period	50.00
611-403	Unlawful loading or unloading of private bus	12.50
611-501	Unlawful stopping of food vendor vehicle	12.50
611-502	Violation of noise restriction on food vendors	12.50
611-504	Failure of food vending vehicle to display required warnings	12.50
611-506	Unlawful vending from other than curb side of vending vehicle	12.50
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	12.50
621-108	Unlawful manner of parking	12.50
621-109	No required lights on certain parked vehicles	12.50
621-110	Violation of handicapped parking restrictions	45.00
621-111	Unlawful parking in handicapped parking meter zone	45.00
621-112	Unloading perpendicular to curb without permit	12.50
621-113	Unlawful use of bus stops and taxicab stands	12.50
621-114	Unlawful use of passenger and loading zones	12.50
621-115	Unlawful parking adjacent to certain buildings	12.50
621-116	Unlawful parking for display for sale or advertising	12.50
621-117	Unlawful parking for more than six (6) hours	12.50
621-118	Unlawful parking of commercial vehicles at night	12.50
621-119	Unlawful parking in alleys or on certain narrow streets	12.50
621-120	Unlawful parking in designated special parking areas	12.50
621-121	Parking on certain streets where prohibited at all times	12.50
621-122	Stopping, standing or parking on streets where prohibited at all times	12.50
621-123	Parking on certain streets where prohibited at all times on certain days	12.50
621-124	Parking on certain streets when prohibited at certain times on certain days	12.50
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m.-9:00 a.m., 7:00 a.m.-9:00 a.m., 3:00 p.m.--6:00 p.m., 4:00 p.m.-6:00 p.m.	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	12.50
621-203	Parking in excess of time permitted in parking meter zone	12.50
621-210	Parking in meter zone when temporarily prohibited	12.50

621-216	Overtime parking in metered parking space	12.50
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	12.50
621-405	Unlawful parking in certain mailbox zones	12.50
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center - non-permitted use	25.00
621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	45.00
621-502	Unlawful obstruction of fire lane	25.00
631-102	In park after hours-first offense in calendar year	50.00
631-109	Alcohol in park-first offense in calendar year	50.00
645-528	Skateboard or similar play device - first offense in calendar year	50.00
730-505	Civil zoning violations - first offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00
811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00
Ch. 895	Horse-drawn carriage violation - first offense in twelve month period	100.00
Ch. 903	Pedal cab violation - first offense in twelve month period	100.00

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after October 1, 2001.

PROPOSAL NO. 414, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 414, 2001 on August 23, 2001. The proposal considers and adopts the Stormwater Credit Manual ("Manual") approved by the Board of Public Works. 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 Moriarty Adams, for adoption. Proposal No. 414, 2001 was adopted on the following roll call vote; viz:

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

Proposal No. 414, 2000 was retitled GENERAL RESOLUTION NO. 7, 2001, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 2001

A PROPOSAL FOR A GENERAL RESOLUTION to consider and adopt the Stormwater Credit Manual ("Manual") approved by the Board of the Department of Public Works.

WHEREAS, this Stormwater Credit Manual shall focus on qualifying conditions or activities which mitigate the impact of increased stormwater runoff from properties which reduce the Department of Public Works cost of providing storm water management service to those properties; and

WHEREAS, this manual will provide a means of qualifying properties to earn a credit thereby lowering their total monthly stormwater user fees, and

WHEREAS, this Manual will shall set forth the details of the credit system, including the parameters of credits and application procedures; now, therefore:

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

SECTION 1. Pursuant to G.O. No. 43, 2001, the City-County Council does hereby formally approve the Stormwater Credit Manual as approved and forwarded by the Board of Public Works via the Board's Resolution No. 87, 2001.

SECTION 2. This resolution shall be in effect upon adoption and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 415, 2001. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 415, 2001 on August 23, 2001. The proposal, sponsored by Councillors Coughenour and SerVaas, considers and adopts the Stormwater Masterplan as submitted by the Board of Public Works. 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 Bainbridge, for adoption. Proposal No. 415, 2001 was adopted on the following roll call vote; viz:

19 YEAS: Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Knox, Langsford, Massie, Moriarty Adams, Sanders, Schneider, SerVaas, Smith, Tilford

0 NAYS:

7 NOT VOTING: Bradford, Gibson, Gray, Horseman, McWhirter, Nytes, Short

3 ABSENT: Dowden, Soards, Talley

Proposal No. 415, 2000 was retitled GENERAL RESOLUTION NO. 8, 2001, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2001

A PROPOSAL FOR A GENERAL RESOLUTION to consider and adopt the Stormwater Masterplan ("Masterplan") as submitted by the Board of Public Works.

WHEREAS, this Stormwater Masterplan shall consider infrastructure inventory, conveyance system analysis, receiving and responding to neighborhood and citizen input, identification an establishment of priorities for capital improvements, and

WHEREAS, this Masterplan will further consider the development of a maintenance and management program, and integration of information into the GIS database, and

WHEREAS, this Masterplan will undergo periodic updates under the direction of the Marion County Storm Water Management Technical Advisory Committee based upon that committee's recommendations regarding watershed analysis, capital project need, priorities and engineering design and other technical matters relating to storm water quantity and quality; now, therefore:

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

SECTION 1. Pursuant to G.O. No. 43, 2001, the City-County Council does hereby formally approves this Stormwater Masterplan as approved and forwarded by the Board of Public Works via the Board's Resolution No. 88, 2001.

SECTION 2. This resolution shall be in effect upon adoption and compliance with Ind. Code § 36-3-4-14.

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 366-375 and 416-425, 2001 on August 16, 2001. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 366, 2001. The proposal, sponsored by Councillor Soards, authorizes a traffic signal at 4009 West 86th Street for Pike Township Fire Station #13 (District 1). PROPOSAL NO. 367, 2001. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Bancaster Drive and Crickwood Drive (District 2). PROPOSAL NO. 368, 2001. The proposal, sponsored by Councillor Tilford, authorizes a multi-way stop at Golf Stream Drive and Players Drive, and at Players Drive and Titleist Way (District 12). PROPOSAL NO. 369, 2001. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at Arbor Street and Murray Street (District 25). PROPOSAL NO. 370, 2001. The proposal, sponsored by Councillor Coughenour, authorizes a multi-way stop at Carson Avenue and National Avenue (District 24). PROPOSAL NO. 371, 2001. The proposal, sponsored by Councillor Douglas, authorizes a multi-way stop at 23rd Street and Parker Avenue (District 10). PROPOSAL NO. 372, 2001. The proposal, sponsored by Councillor Schneider, authorizes the removal of a multi-way stop sign at Behner Brook Drive and Castle Knoll Boulevard (District 3). PROPOSAL NO. 373, 2001. The proposal, sponsored by Councillors Brents and Nytes, authorizes the removal of rush hour parking restrictions on the east side of New Jersey Street between Wabash Street and New York Street (Districts 16, 22). PROPOSAL NO. 374, 2001. The proposal, sponsored by Councillor Langsford, authorizes a 55 mph speed limit on Shadeland Avenue from I-465 to Washington Street (District 13). PROPOSAL NO. 375, 2001. The proposal, sponsored by Brents, authorizes changes in time limits for the meters located on Meridian Street, on the west side, from Vermont Street to a point 123 feet north of Vermont Street (District 16) (amends G. O. No. 30, 2001). PROPOSAL NO. 416, 2001. The proposal, sponsored by Councillor Nytes, authorizes intersection controls and parking restrictions for the newly constructed Mapleton Trace (District 22). PROPOSAL NO. 417, 2001. The proposal, sponsored by Councillor Talley, authorizes a multi-way stop at 45th Street and Campbell Avenue (District 14). PROPOSAL NO. 418, 2001. The proposal, sponsored by Councillors Schneider and Dowden, authorizes a multi-way stop at Graham Road and Kilmer Lane (Districts 3, 4). PROPOSAL NO. 419, 2001. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Meredith Avenue and Parker Avenue (District 21). PROPOSAL NO. 420, 2001. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Bancaster Circle/Bancaster Drive/Colchester Drive (District 2). PROPOSAL NO. 421, 2001. The proposal, sponsored by Councillor SerVaas, authorizes intersection controls at 63rd Street and Carrollton Avenue (District 2). PROPOSAL NO. 422, 2001. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Harcourt Spring Drive and Harcourt Spring Terrace (District 2). PROPOSAL NO. 423, 2001. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at Alton Avenue and 12th Street (District 16). PROPOSAL NO. 424, 2001. The proposal, sponsored by Councillor Brents, authorizes parking restrictions on portions of Henry Street, Meridian Street, and Merrill Street (District 16). PROPOSAL NO. 425, 2001. The proposal, sponsored by Councillor Borst, authorizes parking restrictions for portions of Sara Court, Hargeo Drive, Laura Lynn Lane, and Lockwood Lane (District 25). 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 Short, for adoption. Proposal Nos. 366-375 and 416-425, 2001 were adopted on the following roll call vote; viz:

22 YEAS: Bainbridge, Borst, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Gray, Horseman, Knox, Langsford, Massie, McWhirter, Moriarty Adams, Sanders, Schneider, SerVaas, Short, Smith, Tilford

0 NAYS:

4 NOT VOTING: Black, Boyd, Gibson, Nytes

3 ABSENT: Dowden, Soards, Talley

Proposal No. 366, 2001 was retitled GENERAL ORDINANCE NO. 78, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 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>
2	86 th St 4009 W. 86 th St	None	Signal

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

Proposal No. 367, 2001 was retitled GENERAL ORDINANCE NO. 79, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 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>
2	Bancaster Dr Crickwood Dr	Bancaster 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>
2	Bancaster Dr Crickwood 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. 368, 2001 was retitled GENERAL ORDINANCE NO. 80, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 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>
28	Golf Stream Dr Players Dr	Golf Stream Dr	Stop
28	Players Dr Titleist Way	Players 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>
28	Golf Stream Dr Players Dr	None	All Way Stop
28	Players Dr Titleist Way	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. 369, 2001 was retitled GENERAL ORDINANCE NO. 81, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31	Arbor St Murray St	Arbor St	Stop

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

Proposal No. 370, 2001 was retitled GENERAL ORDINANCE NO. 82, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 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>
39	Carson Av National Av	Carson 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>
39	Carson Av National 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. 371, 2001 was retitled GENERAL ORDINANCE NO. 83, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 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>
25	23 rd St Parker Av	23 rd 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>
25	23 rd St Parker 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. 372, 2001 was retitled GENERAL ORDINANCE NO. 84, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 44I-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. 44I-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>
6	Behner Brook Dr Castle Knoll Blvd	None	All Way Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 44I-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>
6	Behner Brook Dr Castle Knoll Blvd	Castle Knoll Blvd	Stop

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

Proposal No. 373, 2001 was retitled GENERAL ORDINANCE NO. 85, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 62I-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. 62I-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 3:00 p.m. to 6:00 p.m.

New Jersey Street, on the east side, from Wabash 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. 374, 2001 was retitled GENERAL ORDINANCE NO. 86, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 44I-323, Alteration of prima facie speed limits.

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. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

55 MPH
Shadeland Avenue, from 1-465 to Washington Street

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

Proposal No. 375, 2001 was retitled GENERAL ORDINANCE NO. 87, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-213, When time limits and charges shall be in effect.

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. 621-213, When time limits and charges shall be in effect, be and the same is hereby amended by the addition of the following, to wit:

(5) or in places where residential uses exist and the parking is not prohibited in the a.m. peak hour, then the parking meters will operate 9:00 a.m. to 5:00 p.m. in the following locations:

Meridian Street, on the west side, from Vermont Street to a point 123 feet north of Vermont Street

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

Proposal No. 416, 2001 was retitled GENERAL ORDINANCE NO. 88, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls; and Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 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	Mapleton Trace Pennsylvania St	Pennsylvania	Stop
18	Mapleton Trace Talbot St	Talbot St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Mapleton Trace, on the south side, from Pennsylvania Street to Talbott Street

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

Proposal No. 417, 2001 was retitled GENERAL ORDINANCE NO. 89, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 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>
I4	Campbell Av 45 th St	45 th 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>
I4	Campbell Av 45 th 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. 418, 2001 was retitled GENERAL ORDINANCE NO. 90, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 90, 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>
5	Graham Rd Kilmer Ln	Kilmer Ln	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5	Graham Rd Kilmer Ln	None	All Way Stop

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

Proposal No. 419, 2001 was retitled GENERAL ORDINANCE NO. 91, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 91, 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>
25	Meredith Av Parker Av	Meredith 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>
25	Meredith Av Parker 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. 420, 2001 was retitled GENERAL ORDINANCE NO. 92, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 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>
2	Bancaster Cir Bancaster Dr Colchester Dr	Bancaster Dr Colchester 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>
2	Bancaster Cir Bancaster Dr Colchester 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. 421, 2001 was retitled GENERAL ORDINANCE NO. 93, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 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>
11	63 rd St Carrollton Av	Carrollton 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. 422, 2001 was retitled GENERAL ORDINANCE NO. 94, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 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>
3	Harcourt Spring Dr Harcourt Spring Terrace	Harcourt Spring 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>
3	Harcourt Spring Dr Harcourt Spring Terrace	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. 423, 2001 was retitled GENERAL ORDINANCE NO. 95, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 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>
24	Alton Av 12 th St	Alton 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>
24	Alton Av 12 th 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. 424, 2001 was retitled GENERAL ORDINANCE NO. 96, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations; Sec. 621-121, Parking prohibited at all times on certain streets; Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets; and Sec. 621-202, Parking meter zones designated.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations, be and the same is hereby amended by the deletion of the following, to wit:

(1) Any vehicles, so marked, of the city police department, the county sheriff, the state police and the United States Marshal, and no others, may park at any time, from 6:00 a.m. to 6:00 p.m., in the following locations:

Meridian Street, on the west side, from Merrill Street to a point 92 feet north of Henry Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Meridian Street, on the east side, from Merrill Street to a point 315 feet north of Merrill Street

Merrill Street, on both sides, from Meridian Street to Pennsylvania Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Meridian Street, on the east side, from a point 563 feet north of Merrill Street to Madison Avenue

Meridian Street, on the west side, from South Street to a point 302 feet south of South Street

SECTION 4. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

Meridian Street, on the east side, from a point 315 feet north of Merrill Street to a point 261 feet south of South Street

Meridian Street, on the west side, from a point 302 feet south of South Street to a point 225 feet north of McCarty Street

SECTION 5. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Henry Street, on the north side, from Madison Avenue to Pennsylvania Street

Meridian Street, on the east side, from Merrill Street to a point 76 feet north of Merrill Street

Meridian Street, on the east side, from a point 243 feet north of Merrill Street to Henry Street

Meridian Street, on the west side, from Merrill Street to Henry Street

Merrill Street, on both sides, from Illinois Street to Meridian Street

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

Proposal No. 425, 2001 was retitled GENERAL ORDINANCE NO. 97, 2001, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 2001

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-124, Parking prohibited during specified hours on certain days.

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. 621-124, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

NO PARKING
ON ANY DAY EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS
From 7:00 a.m. to 1:00 p.m.

Sara Court, north to Hargeo Drive

Hargeo Drive, on both sides, from a point 152 feet west of Lockwood Lane to Sara Court

Laura Lynne Lane, on both sides, from Lockwood Lane to a point 785 feet southeast of Lockwood Lane

Lockwood Lane, on both sides, from a point 95 feet south of Linda Leigh Lane to Hargeo Drive

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

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

PROPOSAL NO. 495, 2001. The proposal, sponsored by Councillor Boyd, remembers the life and contributions of Mamie Townsend. Councillor Boyd said that he will present the proposal to family members at a later time. He moved, seconded by Councillor Gray, for adoption. Proposal No. 495, 2001 was adopted by a unanimous voice vote.

Proposal No. 495, 2001 was retitled SPECIAL RESOLUTION NO. 61, 2001, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 2001

A SPECIAL RESOLUTION remembering the life and contributions of Mamie Townsend

WHEREAS, Mamie Townsend started Auntie Mame's Child Development Center in 1969; and

WHEREAS, she followed the classic business model of "finding a need, and filling it," by offering unquestionable quality child care; and

WHEREAS, children entrusted to Mamie and her staff received not only safe and nurturing care, but also lived in an environment of important socializing and academic skills by working on computers, reading, music, educational field trips and even gourmet meals; and

WHEREAS, Mamie Townsend personally gave back to the community by serving on the city's License Review Board and the Board of Zoning Appeals, was a charter member of Faith United Christian Church, and performed a host of unrecorded acts of generosity and counsel throughout her life; 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 pauses to recognize the life and contributions of Mamie Townsend, founder of Auntie Mame's Child Development Center, an outstanding example of a business person being actively involved in the community, and a good wife, mother and grandmother.

SECTION 2. Her presence was an uplifting inspiration for many, and the young people in her child care center for the past 30 years will bear witness to the quality of Mamie Townsend's guiding hand for many years in the future.

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.

August 27, 2001

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Cockrum in memory of James R. Stephenson; and
- (2) Councillor Brents in memory of Elizabeth Diggs; and
- (3) Councillors Horseman and Boyd in memory of Anne Wohlmuth; and
- (4) Councillor Tilford in memory of Kristy Adamson; and
- (5) Councillors Boyd and Gray in memory of Dr. E. Paul Thomas; and
- (6) Councillor Smith in memory of Curtis Blane Fendley and Francisco M. Gonzalez; and
- (7) Councillor Moriarty Adams in memory of William (Bill) W. Johnston.

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 James R. Stephenson, Elizabeth Diggs, Anne Wohlmuth, Kristy Adamson, Dr. E. Paul Thomas, Curtis Blane Fendley, Francisco M. Gonzalez, and William (Bill) W. Johnston. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:47 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 27th day of August, 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)