

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

**REGULAR MEETINGS
MONDAY, DECEMBER 8, 2003**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m. on Monday, December 8, 2003, with President Borst presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden introduced former City-County Councillors Betty Ruhmkorff, Lula Journey, Pat Nickell, and State Representative Phillip Hinkle. Councillor Massie recognized his wife Dianna, his daughter Emily, and his granddaughters Ashlyn and Abigail. Councillor Short introduced wife Toni and son Tom. Councillor Coughenour stated that it is nice to see former women Councillors like Ms. Ruhmkorff, Ms. Journey, and Ms. Nickell here, and it was nice to have them serve with her over the years. Councillor Black recognized local dentist Dr. Lehman Adams. Councillor Coughenour introduced Dr. Doug Williams, superintendent of the Perry Township Schools. Councillor Brents recognized her husband Leon, and her Council replacement Patrice Abdullah. Councillor Coonrod introduced the certified winner in District 12's City-County Council race pending recount results, Sherron Franklin. Councillor McWhirter recognized Councillor-elect Susie Day, District 20. Councillor Dowden recognized Dean Hansen of Butler University and a few members from his Boy Scout Troop. Councillor Nytes recognized

Councillors-elect Dane Mahern and Greg Bowes. Councillor Boyd said that Dr. Lehman Adams is the Adams referenced in the Tansel Adams Commission, which many years ago was among early efforts to address gun violence in Marion County. He said that individuals like Dr. Adams make a huge contribution to this City.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 8, 2003, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Philip C. Borst, D.V.M.
President, City-County Council

November 18, 2003

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 21, 2003, a copy of a Notice of Public Hearing on Proposal Nos. 634, 659, 660, 665, 666, and 671-673, 2003, said hearing to be held on Monday, December 8, 2003, at 7:00 p.m. in the City-County Building.

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

November 26, 2003

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 156, 2003 - approves an increase of \$684,364 in the 2003 Budgets of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to provide salaries, fringes, supplies, equipment, travel, and contractual services for a Project Safe Neighborhood project, funded by a federal grant (Project Safe Neighborhoods Grant)

FISCAL ORDINANCE NO. 157, 2003 - approves an increase of \$46,840 in the 2003 Budget of the Department of Public Safety, Emergency Management and Planning Division (Consolidated County Fund) to fund vehicle lease and outfitting costs, to move six tornado warning sirens to new locations, and to cover fleet charges for the remainder of the year, financed by a grant from the American Red Cross and fund balances

FISCAL ORDINANCE NO. 160, 2003 - approves an increase of \$183,000 in the 2003 Budget of the Information Services Agency (Internal Services Fund) to cover expenditures for Light Detection and Ranging (laser aerial photography) and Ortho Projects for the IMAGIS Consortium, financed by fund balances

FISCAL ORDINANCE NO. 162, 2003 - approves an increase of \$70,000 in the 2003 Budget of the Department of Administration, Fleet Services Division (Non-Lapsing Federal Grants Fund) to install a 10,000

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gallon above ground fuel tank, with canopy, to dispense ethanol (E85) fuel, financed by a federal grant (Great Lakes Regional Biomass Energy Program)

FISCAL ORDINANCE NO. 164, 2003 – approves a transfer of \$199,750 in the 2003 Budget of the Department of Administration, Fleet Services Division (Consolidated County Fund) to cover an expected shortfall in funds for vehicle maintenance repairs

GENERAL ORDINANCE NO. 110, 2003 - continues the early retirement program for city employees who are in positions covered by the master agreement between the City and AFSCME

SPECIAL RESOLUTION NO. 78, 2003 - recognizes West Indy's 5th Annual Steak n Shake's Breakfast with Santa

SPECIAL RESOLUTION NO. 79, 2003 - recognizes the U.S. Marine Corps Reserves' "Toys for Tots" Program

SPECIAL RESOLUTION NO. 80, 2003 - recognizes the National Collegiate Athletic Association's fourth year in Indianapolis

SPECIAL RESOLUTION NO. 81, 2003 - a special resolution amending the inducement resolution for Phoenix Apartments (to be renamed "Avondale Village") in an amount not to exceed \$12,000,000 which consists of the acquisition and rehabilitation of an existing 328-unit apartment complex on an approximately 10.31 acre parcel of land located at 4004 Meadows Drive (District 11)

SPECIAL RESOLUTION NO. 82, 2003 - determines the need to lease office space at 25 West 9th Street as the site of the IPD Downtown District office

SPECIAL RESOLUTION NO. 83, 2003 - approves the amounts, locations, and programmatic operation for certain projects to be funded from the Community Development Grant Funds for 2004

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 8, 2003 - approves an increase of \$128,507 in the 2003 Budget of the Department of Public Safety, Fire Division (Fire General Fund) to cover the purchase price of phase one of the Defibrillator replacement plan, financed by fund balances

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 9, 2003 - approves a transfer of \$110,215 in the 2003 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants and Federal Grants Funds) to cover the salary and benefits of the Indiana Task Force One Coordinator, to purchase personal equipment and supplies, and to pay for architectural design and preparatory tasks in support of renovating the current storage/warehouse facility

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Coughenour moved, seconded by Councillor Talley, to suspend the Rules of the Council and consider Proposal No. 122, 2003 this evening.

PROPOSAL NO. 122, 2003. The proposal, sponsored by Councillor Coughenour, amends the Code by creating smoke-free work places for employees. Councillor Coughenour said that the proposal was heard on several occasions by the Rules and Public Policy Committee but failed to make it out of committee with a recommendation. The motion to suspend the Rules and consider Proposal No. 122, 2003 failed on the following roll call vote; viz:

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

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of November 17, 2003. There being no additions or corrections, the minutes were approved as distributed.

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

President Borst stated that before the presentation of Special Resolutions, he would like to read a short resolution honoring Peggy Stawick, Assistant Clerk of the Council, who will be retiring at the end of the year. Although Ms. Stawick did not wish to have a big deal made of her retirement, it is fitting that she be recognized and honored. He read the following:

MARGARET "PEGGY" STAWICK
INDIANAPOLIS CITY-COUNTY COUNCIL STAFF
1988-2003

WHEREAS, Peggy Stawick is an Illini by birth, but a Hoosier by choice, the mother of six children, and the loving wife of Jerry Stawick; and

WHEREAS, on the Council staff she helped prepare the Council agendas, received information to be formatted into Proposals, wrote three-fourths of the short title digests, compiled all of the official proceedings for the publisher, was secretary to the Council's attorney Bob Elrod, assumed the duty of Clerk of the Council in the absence of Clerk Suellen Hart, and was the best proofreader that the office has ever known; and

WHEREAS, she and her husband lived in New Castle for several years, and while there she worked in the balloon business, which being around all of that hot air eminently qualified Peggy for working with the Council when the Stawick's moved to Indianapolis; and

WHEREAS, during her 15 years in the Council office she maintained an almost perfect attendance record; now, therefore:

BE IT RESOLVED, that:

SECTION 1. I, Dr. Philip C. Borst, duly elected member of the Council of the City of Indianapolis and of Marion County, Indiana, and Council President, do hereby recognize the outstanding public service of Peggy Stawick during her 15 years on the Council staff.

SECTION 2. We all wish Peggy the very best in retirement as she can devote more time to her 17 grandchildren, mandatory Friday night pizzas with her family, St. Matthew Catholic Church, walking, bicycling, and volunteer work at St. Vincent De Paul, and the Julian Center.

PROPOSAL NO. 730, 2003. The proposal, sponsored by Councillors Short and Langsford, recognizes the Indiana National Guard for their work in defending freedom. Councillor Short read the proposal and presented representatives with copies of the document. Major General George Buskirk thanked the Council for the recognition and said that there will be over 7,000 members of the Indiana National Guard by the end of 2004, which makes Indiana the third largest contributing state to combat efforts across the nation. He said that 20% of these Indiana National Guard members are citizens of Indianapolis. Councillor Talley said that these men and women are making a great sacrifice and he hopes the National Guard will continue to work to correct the pay issue they are facing. Gen. Buskirk said that the National Guard is indeed committed to working out the imbalance of pay and it continues to be a priority. Councillor Short moved, seconded by Councillor Langsford, for adoption. Proposal No. 730, 2003 was adopted by a unanimous voice vote.

Proposal No. 730, 2003 was retitled SPECIAL RESOLUTION NO. 84, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 84, 2003

A SPECIAL RESOLUTION recognizing the Indiana National Guard for their work in defending freedom.

WHEREAS, on September 11, 2001, the United States was attacked by foreign terrorist groups costing the lives of over 3,000 innocent people, and arousing the American people to hold accountable those who perpetrated the cowardly assault; and

WHEREAS, on that same day, the Indiana Air National Guard flew F-16 fighter escort for Air Force One as it returned to Washington, D.C., and members of the Indiana National Guard immediately reported to their designated locations to secure vital installations within the State of Indiana; and

WHEREAS, since that date, the Indiana National Guard has been in the forefront in the War on Terrorism by guarding the three air bases and two major Army National Guard installations in Indiana; and

WHEREAS, the Indiana National Guard provided elements to serve in Turkey and Afghanistan during the past two years, and two infantry battalions were deployed in support of Operation Iraqi Freedom, earning the coveted Combat Infantryman's Badge and Combat Medical Badge, and

WHEREAS, right now, men and women of the Indiana National Guard are serving overseas in Iraq and Kuwait working to provide stability and security to the people of Iraq; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks the Indiana National Guard for its work in defending freedom, requests that a copy of this Resolution be placed in the official minutes of the Council, and that the original be presented to Indiana National Guard's Major General George A. Buskirk, Jr. to display and use as he sees fit.

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

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

PROPOSAL NO. 731, 2003. The proposal, sponsored by Councillor Coughenour, recognizes the Class 4A Roncalli High School for winning its second consecutive State Football Championship victory. Councillor Coughenour stated that the team is in Richmond, Indiana, this evening and cannot attend. She said that she will present the resolution to them at a later time. Councillor Moriarty Adams stated that her nephew Brandon is a member of the Roncalli team and she attended the winning game and is very proud of the team's accomplishment. Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 731, 2003 was adopted by a unanimous voice vote.

Proposal No. 731, 2003 was retitled SPECIAL RESOLUTION NO. 85, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 85, 2003

A SPECIAL RESOLUTION recognizing the Class 4A Roncalli High School for winning its second consecutive State Football Championship Victory.

WHEREAS, Roncalli High School, an open-enrollment Catholic high school on Indianapolis' Southside, takes football very seriously, having been their divisional State Champions four times in the past 10 years, and runners-up two other times; and

WHEREAS, but this year on a cold light snowy Saturday afternoon two days after Thanksgiving, the Roncalli Rebels faced unbeaten 14-0 East Noble Knights from Kendallville who during the season averaged 36 points per game to their opponents 12 points; and

WHEREAS, but in this Championship Game, the Rebels from South Indianapolis stopped the Northern Indiana team cold in their tracks with a 17-0 shutout; and

WHEREAS, when the final buzzer sounded, Roncalli was able to place yet another Championship Trophy in their school display case; 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 the 4A Class 2003 Indiana State Football Champion Roncalli High School Rebels.

SECTION 2. The Council wishes the best of success to Roncalli's seniors as they finish their school year, and hopes that this can-do winning attitude permeates throughout the 960 student school, and the Southside of Indianapolis.

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. 732, 2003. The proposal, sponsored by Councillor Tilford, recognizes the Class 5A Warren Central Warriors for their State Football Championship victory. Councillor Tilford read the proposal and presented representatives with copies of the document and Council pins. Coach Kevin Wright and Student Council President and Senior Member Brian Engh thanked the Council for the recognition. Councillor Tilford moved, seconded by Councillor Langford, for adoption. Proposal No. 732, 2003 was adopted by a unanimous voice vote.

Proposal No. 732, 2003 was retitled SPECIAL RESOLUTION NO. 86, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 86, 2003

A SPECIAL RESOLUTION recognizing the Class 5A Warren Central Warriors for their State Football Championship Victory.

WHEREAS, the excitement was high on the last Saturday night in November as the fourth ranked Mishawaka Penn High School Kingsmen squared off with the seventh ranked Warren Central Warriors for the State large school division Championship trophy; and

WHEREAS, Penn was state champs four times in the past eight years, and Warren's last state championship trophy dates from 18 years ago; and

WHEREAS, but this night would belong to the Indianapolis Eastside team, with a front line averaging only a few pounds less than Purdue's front five, the Warriors powered themselves to a 50-0 halftime score, and a final tally of 57-7, the most lopsided state championship game since Indiana went to five class divisions in 1985; and

WHEREAS, during this historic game, Warren never passed, had no fumbles, had no turnovers, had no penalties, had their final 57 points by the third quarter, and set several new State Tournament records; 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 the 5A Class 2003 Indiana State Football Champion Warren Central Warriors.

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SECTION 2. The Council wishes the best of success to Warren's seniors as they finish their school year, and hopes that this can-do winning attitude permeates throughout the school system and the Eastside of Indianapolis.

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. 721, 2003. The proposal, sponsored by Councillor Gibson, recognizes We're Helping Youth, Inc., an Indianapolis higher education opportunity program. Councillor Gibson read the proposal and presented representatives with copies of the document and Council pins. Dr. Lehman Adams and director Robert Patrick thanked the Council for the recognition. Councillor Gray thanked Dr. Adams for all of his efforts and contributions to this city's children. Councillor Gibson moved, seconded by Councillor Sanders, for adoption. Proposal No. 721, 2003 was adopted by a unanimous voice vote.

Proposal No. 721, 2003 was retitled SPECIAL RESOLUTION NO. 87, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 2003

A SPECIAL RESOLUTION recognizing We're Helping Youth, Inc., an Indianapolis higher education opportunity program.

WHEREAS, in 1994, with the inspiration of Dr. Lehman D. Adams, D.D.S., a new group named We're Helping Youth, Inc. was organized in Indianapolis to identify each year 200 low and moderate income disadvantaged college-material young people to give them special attention to help them attend and succeed in college; and

WHEREAS, this is not a simple task, because a significant amount of labor intensive work is needed in screening the applicants, surveying their needs, conducting counseling sessions, staying current on financial aid programs, exploring career options with the youth, actively working with area high schools and GED programs, developing relationships with college admission staff, helping students apply for college, meeting college admission deadlines, working with the candidates in goal setting, self esteem and social skills, and arranging tours of some of the more than 30 Historically Black colleges and 10 in-state colleges; and

WHEREAS, partners in this effort have been the Mays Foundation, State Farm Insurance, McKinley Jones and Associates CPA firm, Martin Luther King Center, and the State of Indiana, and thus far Pike Township, Indianapolis Public Schools and North Central High School have been especially responsive to the work of We're Helping Youth; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the college dream efforts of We're Helping Youth, its Board President Hollis J. Thomas, Executive Director Robert E. Patrick, all of those who contribute time and resources, and most importantly to the 1,500 students who so far have taken the initiative to respond to a life changing opportunity like this.

SECTION 2. The Council wishes We're Helping Youth the best of success in the future as it builds greater in-house capabilities, as Indiana University and Purdue comes on line, and as more local high schools can be reached to spread the word about this worthwhile program.

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. 733, 2003. The proposal, sponsored by Councillor Coughenour, recognizes Indiana High School Principal of the Year Harvey Warrner of Beech Grove High School.

Councillor Coughenour invited Councillor-elect Susie Day to join her in presenting this resolution. She then read the proposal and presented Mr. Warrner with copies of the document and a Council pin. Mr. Warrner thanked the Council for the recognition and said that it belongs not just to him but to the school community, parents, students, and staff. He thanked his wife and daughter for their support. Councillor Bainbridge congratulated Mr. Warrner and said that, as a retired principal, he understands what it takes to realize this kind of achievement. Councillor Coughenour moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 733, 2003 was adopted by a unanimous voice vote.

Proposal No. 733, 2003 was retitled SPECIAL RESOLUTION NO. 88, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 2003

A SPECIAL RESOLUTION recognizing Indiana High School Principal of the Year Harvey Warner of Beech Grove High School.

WHEREAS, the roles of high school principals, teachers and administrators have changed dramatically during the past few years, but many of the fundamentals have remained the same; and

WHEREAS, each year the Indiana Association of School Principals selects a Principal of the Year from 12 district finalists, and this year's state winner was Harvey Warner of Beech Grove High School; and

WHEREAS, Mr. Warner is a graduate of Ball State University, was a classroom teacher in Decatur Township and at Beech Grove, was Assistant Principal for five years, and has been Beech Grove's Principal for the past eight years; and

WHEREAS, his coordination, motivation, and hard work has increased Beech Grove's graduation rate, GQE scores, attendance, the number of graduates earning CORE 40 diplomas, and academic honors; 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 Beech Grove Principal Harvey Warner for being voted by his school principal peers as the Indiana High School Principal of the Year.

SECTION 2. Mr. Warner reports that the whole Beech Grove community is who actually earned this honor, that the school has been working on criteria such as improved graduation rates for a number of years, and that the parents, teachers, and students are all a part of the team that this award represents.

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. 735, 2003. The proposal, sponsored by Councillor Short, recognizes Shepherd Community, Inc. Councillor Short read the proposal and presented Jay Height, executive director, with a copy of the document and a Council pin. Councillor Horseman thanked Mr. Height for his work in the community, both in politics and as a pastor. Councillor Bradford said that Mr. Height has made lots of sacrifices for the good of the community over the years, and he is a good friend. Mr. Height thanked the Council for the recognition and challenged members to become involved in community resources that benefit children. Councillor Short moved, seconded by Councillor Bradford, for adoption. Proposal No. 735, 2003 was adopted by a unanimous voice vote.

Proposal No. 735, 2003 was retitled SPECIAL RESOLUTION NO. 89, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 2003

A SPECIAL RESOLUTION recognizing Shepherd Community, Inc.

WHEREAS, in 1984, Westside Church of the Nazarene sent a group of volunteers to Central Nazarene Church to organize a Thanksgiving meal, which soon blossomed into the establishment of a formal mission at the Church located on State and East Washington Streets; and

WHEREAS, the focus of what is now called Shepherd Community, Inc., still remains to reach out to the community through Christian compassion, and working to meet people's needs; and

WHEREAS, Rev. Jay Height has been Shepherd Community's Director since 1998, and with his leadership the outreach program has grown to include kindergarten with a goal of each graduate being able to read, after-school programs with hot dinners, homework, a computer lab, gymnastics and plenty of love, sports programs, emergency food and clothing, Hispanic ministries, summer day camp, Christmas with toys, food baskets and clothing, summer day camp with plenty of crafts, sports, field trips, fun and neighborhood service projects for 80 kids, a Thanksgiving feast with 700 food baskets, and a place where juvenile offenders can earn community service credit hours; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends the outstanding work on the near Eastside by Shepherd Community, Inc., its Director Rev. Jay Height, their staff, contributors, volunteers, and most importantly those people who take a small leap of faith to participate in Shepherd's programs.

SECTION 2. Indianapolis is exceedingly fortunate that groups like Shepherd Community contribute a full measure of love, compassion, and physical and spiritual assistance to those in the community who need a helping hand.

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

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

President Borst stated that Proposal Nos. 708-720, 2003, sponsored by Councillors Borst and Boyd, are resolutions honoring the 13 outgoing Councillors. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 708, 2003. The proposal recognizes the public service of John Bainbridge.
PROPOSAL NO. 709, 2003. The proposal recognizes the public service of Elwood Black.
PROPOSAL NO. 710, 2003. The proposal recognizes the public service of Maggie Brents.
PROPOSAL NO. 711, 2003. The proposal recognizes the public service of Beulah Coughenour.
PROPOSAL NO. 712, 2003. The proposal recognizes the public service of William Douglas.
PROPOSAL NO. 713, 2003. The proposal recognizes the public service of William Dowden.
PROPOSAL NO. 714, 2003. The proposal recognizes the public service of Sean Frick.
PROPOSAL NO. 715, 2003. The proposal recognizes the public service of Harvey Knox.
PROPOSAL NO. 716, 2003. The proposal recognizes the public service of Robert Massie.
PROPOSAL NO. 717, 2003. The proposal recognizes the public service of Frank Short.
PROPOSAL NO. 718, 2003. The proposal recognizes the public service of David Smith.
PROPOSAL NO. 719, 2003. The proposal recognizes the public service of Bill Soards.
PROPOSAL NO. 720, 2003. The proposal recognizes the public service of Jody Tilford.
Councillor Boyd read the proposals and moved for their adoption. Councillor Borst seconded the motion.

Councillor Black said that it has been a privilege to serve and he has had the opportunity to meet people all over the world. It has been a rewarding experience, and the staff has been very efficient and it would be a shame to lose all of that expertise. He said that both Republicans and Democrats visited him while he was in the hospital and he has had a good working relationship with all of the members, because relationships are not truly defined by political party.

Councillor Brents said that it has been a pleasure to serve and wished all the returning and new Councillors good luck. She said that she will continue to watch meetings on Channel 16 and support the efforts of the Council.

Councillor Coughenour said that she has enjoyed working with everyone and the Council has been able to accomplish some truly great things over the years.

Councillor Soards said that he found a lot could be accomplished outside of meetings as well as inside meetings. He encouraged members to rely on electronic communication less and face-to-face relationships more.

Councillor Massie said that he began his service viewing many of the people in this chamber as colleagues, and he leaves viewing all of them as friends.

Councillor Bainbridge said that he has been proud to be a part of getting the job done.

Councillor Short thanked all of the City and County employees for their help through the years and for those citizens who give so willingly of their time in community efforts to make this a better City.

Proposal Nos. 708-720, 2003, were adopted by a unanimous voice vote.

Proposal No. 708, 2003 was retitled SPECIAL RESOLUTION NO. 90, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 90, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor John Bainbridge.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor John Bainbridge has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 to 2003; and

WHEREAS, Councillor Bainbridge served as Chair of the important Public Works Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor Bainbridge as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Bainbridge, and encourages him to remain an active participant in the life of this community.

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

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

Proposal No. 709, 2003 was retitled SPECIAL RESOLUTION NO. 91, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Elwood Black.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Elwood Black has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1992 to 2003; and

WHEREAS, Councillor Black served faithfully on the Metropolitan Development Committee, the Community Affairs Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 12 years of dedicated service given by Councillor Elwood Black as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Black, and encourages him to remain an active participant in the life of this community.

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. 710, 2003 was retitled SPECIAL RESOLUTION NO. 92, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 92, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Maggie Brents.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Maggie Brents has, with integrity and sincerity, served her constituents and the people of Indianapolis well from 1992 to 2003; and

WHEREAS, Councillor Brents served on the Parks and Recreation Committee, the Community Affairs Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 12 years of dedicated service given by Councillor Maggie Brents as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Brents, and encourages her to remain an active participant in the life of this community.

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. 711, 2003 was retitled SPECIAL RESOLUTION NO. 93, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 93, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Beulah Coughenour.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Beulah Coughenour has, with integrity and sincerity, served her constituents and the people of Indianapolis well from 1976 to 2003; and

WHEREAS, Councillor Coughenour served for many years as Chair of the important Public Works Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 28 years of dedicated service given by Councillor Coughenour as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Coughenour, and encourages her to remain an active participant in the life of this community.

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. 712, 2003 was retitled SPECIAL RESOLUTION NO. 94, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor William Douglas.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor William Douglas has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 to 2003; and

WHEREAS, Councillor Douglas served on the Public Safety and Criminal Justice Committee, on the Parks and Recreation Committee, and in many other roles; now, therefore:

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

December 8, 2003

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor William Douglas as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Douglas, and encourages him to remain an active participant in the life of this community.

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. 713, 2003 was retitled SPECIAL RESOLUTION NO. 95, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor William "Bill" Dowden.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor William "Bill" Dowden has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1972 to 2003; and

WHEREAS, Councillor Dowden served as Chair of the Public Safety and Criminal Justice Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 32 years of dedicated service given by Councillor William "Bill" Dowden as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Dowden, and encourages him to remain an active participant in the life of this community.

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. 714, 2003 was retitled SPECIAL RESOLUTION NO. 96, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 96, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Sean Frick.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Sean Frick has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2002 to 2003; and

WHEREAS, Councillor Frick served with great energy, was Chair of the Council's Economic Development Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 13 months of dedicated service given by Councillor Sean Frick as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Frick, and encourages him to remain an active participant in the life of this community.

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. 715, 2003 was retitled SPECIAL RESOLUTION NO. 97, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 97, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Harvey Knox.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Harvey Knox has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 to 2003; and

WHEREAS, Councillor Knox served on the Public Works Committee, on the Parks and Recreation Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor Harvey Knox as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Knox, and encourages him to remain an active participant in the life of this community.

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. 716, 2003 was retitled SPECIAL RESOLUTION NO. 98, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 98, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Robert "Bob" Massie.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Robert "Bob" Massie has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1996 to 2003; and

WHEREAS, Councillor Massie served as Chair of the Rules and Public Policy Committee which deliberated upon many important public policy issues, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Robert "Bob" Massie as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Massie, and encourages him to remain an active participant in the life of this community.

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. 717, 2003 was retitled SPECIAL RESOLUTION NO. 99, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 99, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Frank Short.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Frank Short has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1992 to 2003; and

WHEREAS, Councillor Short served on the Rules and Public Policy Committee, on the Municipal Corporations Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 12 years of dedicated service given by Councillor Frank Short as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Short, and encourages him to remain an active participant in the life of this community.

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. 718, 2003 was retitled SPECIAL RESOLUTION NO. 100, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 100, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor David Smith.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

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WHEREAS, City-County Councillor David Smith has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1992 to 2003; and

WHEREAS, Councillor Smith actively served on the Public Safety and Criminal Justice, Public Works, and Metropolitan Development Committees, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the 12 years of dedicated service given by Councillor David Smith as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Smith, and encourages him to remain an active participant in the life of this community.

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. 719, 2003 was retitled SPECIAL RESOLUTION NO. 101, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 101, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Bill Soards.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Bill Soards has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 to 2003; and

WHEREAS, Councillor Soards served as Chair of the Municipal Corporations Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor Bill Soards as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Soards, and encourages him to remain an active participant in the life of this community.

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. 720, 2003 was retitled SPECIAL RESOLUTION NO. 102, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 102, 2003

A SPECIAL RESOLUTION recognizing the public service of Councillor Jody Tilford.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Jody Tilford has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 1995 to 2003; and

WHEREAS, Councillor Tilford served on the Parks and Recreation Committee and on the Administration and Finance Committee, and in many other roles; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the eight and one-half years of dedicated service given by Councillor Jody Tilford as a member of the Council.

SECTION 2. In behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Tilford, and encourages him to remain an active participant in the life of this community.

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. 734, 2003. The proposal, sponsored by Councillor Smith, requests the Metropolitan Development Commission adopt an ordinance imposing impact fees for certain development activities in Marion County. Councillor Smith moved, seconded by Councillor Schneider, to refer Proposal No. 734, 2003 to the Metropolitan Development Committee. Proposal No. 734, 2003 was referred to Committee by a unanimous voice vote.

PROPOSAL NO. 704, 2003. The proposal, sponsored by Councillors Borst and Boyd, approves a schedule of regular council meetings for the year 2004. President Borst said that a technical amendment was found by Councillor Cockrum, and the date for August's first meeting should be August 2 and not August 4. He said that these corrected dates should be before the Council this evening. Councillor Boyd moved, seconded by Councillor Talley, for adoption. Proposal No. 704, 2003 was adopted by a unanimous voice vote.

Proposal No. 704, 2003 was retitled COUNCIL RESOLUTION NO. 90, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 90, 2003

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2004.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 2004:

- | | |
|-------------------------------|---------------------------------|
| (1) Monday, January 12, 2004 | (10) Monday, June 21, 2004 |
| (2) Monday, January 26, 2004 | (11) Monday, July 19, 2004 |
| (3) Monday, February 09, 2004 | (12) Monday, August 02, 2004 |
| (4) Monday, February 23, 2004 | (13) Monday, August 23, 2004 |
| (5) Monday, March 15, 2004 | (14) Monday, September 13, 2004 |
| (6) Monday, April 12, 2004 | (15) Monday, October 04, 2004 |
| (7) Monday, April 26, 2004 | (16) Monday, October 25, 2004 |
| (8) Monday, May 17, 2004 | (17) Monday, November 15, 2004 |
| (9) Monday, June 07, 2004 | (18) Monday, December 13, 2004 |

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 693 and 706, 2003 on November 19, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 693, 2003. The proposal, sponsored by Councillor Borst, amends the term of service for Jerry Barnaby as a member of the Citizens Police Complaint Board. PROPOSAL NO. 706, 2003. The proposal, sponsored by Councillor Borst, amends the term of service for Al Polin as a member of the Citizens Police Complaint Board. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal Nos. 693 and 706, 2003 were adopted by a unanimous voice vote.

Proposal No. 693, 2003 was retitled COUNCIL RESOLUTION NO. 91, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 91, 2003

A COUNCIL RESOLUTION amending the term of service for Jerry Barnaby as a member of the Citizens Police Complaint Board.

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

SECTION 1. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 706, 2003 was retitled COUNCIL RESOLUTION NO. 92, 2003, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 92, 2003

A COUNCIL RESOLUTION amending the term of service for Al Polin as a member of the Citizens Police Complaint Board.

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

SECTION 1. The appointment made by this resolution is for a term ending December 31, 2005. 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. 707, 2003. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions for Meridian Street between South Street and Jackson Place (District 16)"; and the President referred it to the Public Works Committee.

Councillor Brents moved to suspend the Rules of the Council and allow Proposal No. 707, 2003 to be considered this evening. Councillor Nytes seconded the motion, and the Rules were suspended by a unanimous voice vote.

Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 707, 2003 on December 2, 2003. By an 8-0 vote, the Committee reported the proposal to the Council with

the recommendation that it do pass. Councillor Bainbridge moved, seconded by Councillor Brents, for adoption. Proposal No. 707, 2003 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Black, Massie

Proposal No. 707, 2003 was retitled GENERAL ORDINANCE NO. 112, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 2003

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated; Sec. 621-402, Bus stop and trolley stop zones; and Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

TWO HOUR METERS

Meridian Street, on the west side, from South Street to Washington Street

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

Meridian Street, on the west side, from a point 28 feet north of Louisiana Street,
to a point 98 feet north of Louisiana Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the west side, from a point 127 feet south of Louisiana Street to Louisiana 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 addition of the following, to wit:

Meridian Street, on the west side, from South Street to a point 127 feet south of Louisiana Street

Meridian Street, on the west side, from a point 28 feet north of Louisiana Street to Washington Street

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

SPECIAL ORDERS - PRIORITY BUSINESS

Beth White, deputy director of the Department of Metropolitan Development (DMD), said that one citizen has raised some questions regarding the public notices for Proposal No. 728, 2003. She said that although the cover letter had an error with two numbers reversed in the address for the public hearing, the actual petition mailed out had the correct address. The petition went through the hearing process and was appealed to the Metropolitan Development Commission, who denied a continuance because they felt, along with staff, that it was properly advertised.

Councillor Tilford said that he has received a few calls regarding this rezoning issue and asked who the owner of the property is. Councillor Talley said that the owner is the Martin Family Trust.

PROPOSAL NO. 722, 2003 and PROPOSAL NOS. 723-729, 2003. Introduced by Councillor Langsford. Proposal No. 722, 2003 and Proposal Nos. 723-729, 2003 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 20 and 25, 2003. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 174-181, 2003, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 181, 2004.

2003-ZON-095

701 WEST SOUTHERN AVENUE and 2800 BLUFF ROAD (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #25

GLENCOE PROPERTIES, INCORPORATED, by Thomas Michael Quinn, requests a rezoning of 31.474 acres, being in the D-A (FF) (FW), D-5 (FF) (FW), I-3-U (FF) (FW) and C-7 (FF) (FW) Districts, to the I-4-U (FF) (FW) classification to provide for industrial uses.

REZONING ORDINANCE NO. 174, 2004.

2003-ZON-085 (2003-DP-013)

7736 EAST TROY AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #13

C.P. MORGAN COMMUNITIES, L.P., by Brian J. Tuohy, requests a rezoning of 103.14 acres, being in the D-A District, to the D-P classification to provide for single-family residential development at a density of 3.91 units per acre.

REZONING ORDINANCE NO. 175, 2004.

2003-ZON-115 (2003-DP-016)

8599 WEST 96th STREET and 9151 LAFAYETTE ROAD (approximate addresses), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #5

HERITAGE DEVELOPMENT OF INDIANA, LLC, by Stephen D. Mears, requests a rezoning of 20.34 acres, being the D-A, D-S and D-1 Districts, to the D-P classification to provide for single-family residential development, resulting in 1.89 units per acre.

REZONING ORDINANCE NO. 176, 2004.

2003-ZON-129

7320 SOUTH US 31 (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #20

SUSANNE AND ROBERT MAFFETT, by Michael J. Kias, requests a rezoning of one acre, being in the D-A District, to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 177, 2004.

2003-ZON-131

2615 and 2701 NORTH CAPITOL AVENUE and 2602 NORTH ILLINOIS STREET, and 101 WEST 28th STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22

IVY TECH STATE COLLEGE, by Daniel T. Kozłowski, requests a rezoning of 1.20 acre, being in the D-8 (W-5) District, to the SU-2 (W-5) classification to provide for educational uses.

REZONING ORDINANCE NO. 178, 2004.

2003-ZON-134

3035 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25

POST 335, INCORPORATED, AMERICAN LEGION, by Michael J. Kias, requests a rezoning of 0.58 acre, being in the D-3 and C-4 Districts, to the C-4 classification to provide for commercial uses.

REZONING ORDINANCE NO. 179, 2004.

2003-ZON-836

8010 EAST 38th STREET (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #14

ZONED C-S

WAL-MART REAL ESTATE BUSINESS TRUST, by Joseph D. Calderon, requests a rezoning of 8.20 acres, being in the C-S District, to the C-3 classification to provide for a supermarket and pharmacy.

REZONING ORDINANCE NO. 180, 2004.

2003-ZON-840

2115 -2150 NORTH KEYSTONE AVENUE, 2215-2236 NORTH TACOMA AVENUE, 2154-2222 WINTER AVENUE, 2219-2223 BELLIS STREET, 2100-2223 GREENBRIAR LANE, 2129-2205 JEFFERSON AVENUE, 2162-2247 NORTH TEMPLE AVENUE, 2218-2266 EASTERN AVENUE, and 2205-2248 EAST PRUITT STREET (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 44.464 acres, being in the D-5, I-3-U, I-4-U and SU-1 Districts, to the C-S classification to provide for an industrial park with limited C-3, C-4, C-I-D, I-1-U, I-2-U and I-3-U uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 618, 2003. Seeing that Councillor Bradford, as chairman of the Committee, was out of the room, President Borst called on Councillor Soards for a Committee report. Councillor Soards reported that Proposal No. 618, 2003 was heard by the Community Affairs Committee on December 8, 2003. The proposal, sponsored by Councillor Bradford, approves an increase of \$39,967 in the 2003 Budgets of the County Auditor and Cooperative Extension Agency (County Grants Fund) for funding the salary for one year for a Commercial Horticulture Program Assistant, funded by a county grant (Indiana Professional Lawn and Landscape Association). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President Borst called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Soards moved, seconded by Councillor Gibson, for adoption. Proposal No. 618, 2003, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Black, Bradford, Short

Proposal No. 618, 2003, as amended, was retitled FISCAL ORDINANCE NO. 166, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 166, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 96, 2002) appropriating an additional Thirty-nine Thousand Nine Hundred Sixty-seven Dollars (\$39,967) in the County Grants Fund for purposes of the County Auditor and the Cooperative Extension Service and reducing the unappropriated and unencumbered balance in the County Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE

CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (m) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Cooperative Extension Service to pay the salary for one year for a Commercial Horticulture Program Assistant.

SECTION 2. The sum of Thirty-nine Thousand Nine Hundred Sixty-seven Dollars (\$39,967) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services-fringes	12,967
 <u>COOPERATIVE EXTENSION AGENCY</u>	
1. Personal Services	<u>27,000</u>
TOTAL INCREASE	39,967

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>39,967</u>
TOTAL REDUCTION	39,967

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. 631, 2003. Councillor Bainbridge reported that the Public Works Committee heard Proposal No. 631, 2003 on December 2, 2003. The proposal, sponsored by Councillors Bainbridge, Conley, McWhirter, and Moriarty Adams, approves an increase of \$220,000 in the 2003 Budget of the Department of Public Works, Operations Division (Transportation General Fund) to restore 2003 budgeted dollars expended for overtime as a result of emergency response to floods in July and September and to purchase a sandbag filling machine, financed by fund balances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Bainbridge moved, seconded by Councillor Langsford, for adoption. Proposal No. 631, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 631, 2003 was retitled FISCAL ORDINANCE NO. 167, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 167, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 99, 2002) appropriating an additional Two Hundred Twenty Thousand Dollars (\$220,000) in the Transportation General Fund for purposes of the Department of Public Works, Operations Division, and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2003 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Operations Division to restore 2003 budgeted dollars expended for overtime as a result of emergency response to floods in July and September and to purchase a sandbag filling machine, financed by fund balance.

SECTION 2. The sum of Two Hundred Twenty Thousand Dollars (\$220,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>OPERATIONS DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	200,000
4. Capital Outlay	<u>20,000</u>
TOTAL INCREASE	220,000

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered Transportation General Fund	<u>220,000</u>
TOTAL REDUCTION	220,000

SECTION 5. The projected December 31, 2003, fund balance for the Transportation General Fund is as follows:

Cash balance as of June 30, 2003	22,749,164
Estimated revenues June through December, 2003	<u>24,385,589</u>
Projected funds available	47,134,753
2003 remaining appropriations, including all encumbrances	38,018,638
Proposed additional appropriation (Proposal No. 631, 2003)	<u>220,000</u>
Total Requirements	38,202,638
Projected fund balance December 31, 2003	8,932,115

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 632 and 671-673, 2003 on November 19, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 632, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$179,000 in the 2003 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to appropriate funds to facilitate a strategic planning committee for public safety, funded by a state grant (Indiana Criminal Justice Institute) (The local match of \$75,509 is funded by the existing appropriations in the 2003 budgets of the Marion County Justice Agency and Marion Superior Court.). PROPOSAL NO. 671, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$24,162 in the 2003 Budget of the Marion Superior Court (State and Federal Grants Fund) to appropriate a supervised visitation program with Kid's Voice, funded

by a state grant (Indiana Criminal Justice Institute). PROPOSAL NO. 672, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$749,927 in the 2003 Budgets of Community Corrections and the County Auditor (Home Detention User Fee Fund) to fund personnel, home detention equipment, and supplies for the second six months of fiscal year 2003-2004, financed by fund balances. PROPOSAL NO. 673, 2003. The proposal, sponsored by Councillor Dowden, approves an increase of \$21,550 in the 2003 budget of Community Corrections (Home Detention User Fee Fund) to provide additional funds for supplies due to growth in programming, financed by fund balances. By 7-0 votes, the Committee reported Proposal Nos. 632 and 671, 2003 to the Council with the recommendation that they do pass as amended, and by 6-0 votes the Committee reported Proposal Nos. 672 and 673, 2003 to the Council with the recommendation that they do pass.

President Borst called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 632 and 671, 2003, as amended, and Proposal Nos. 672 and 673, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 632, 2003, as amended, was retitled FISCAL ORDINANCE NO. 168, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 168, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional One Hundred Seventy-nine Thousand (\$179,000) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (i) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to appropriate funds to facilitate a strategic planning committee for public safety.

SECTION 2. The sum of One Hundred Seventy-nine Thousand (\$179,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	179,000
TOTAL INCREASE	179,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	179,000
TOTAL REDUCTION	179,000

SECTION 5. The local match of \$75,509 is funded by the following existing appropriations in the 2003 budgets of the Marion County Justice Agency and Marion Superior Court and is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	17,163
<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	15,346
<u>MARION COUNTY JUSTICE AGENCY</u>	<u>LAW ENFORCEMENT FUND</u>
3. Other Services and Charges	<u>43,000</u>
 TOTAL MATCH	 75,509

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

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

Proposal No. 671, 2003, as amended, was retitled FISCAL ORDINANCE NO. 169, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 169, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Twenty-four Thousand One Hundred Sixty-two Dollars (\$24,162) in the State and Federal Grants Fund for purposes of the Marion 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(j) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Marion Superior Court to appropriate a Kid's Voice Grant for the Guardian Ad Litem and Reach for Youth programs, funded by a state grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Twenty-four Thousand One Hundred Sixty-two Dollars (\$24,162) in be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>24,162</u>
TOTAL INCREASE	24,162

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>24,162</u>
TOTAL REDUCTION	24,162

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. 672, 2003 was retitled FISCAL ORDINANCE NO. 170, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 170, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Seven Hundred Forty-nine Thousand Nine Hundred Twenty-seven Dollars (\$749,927) in the Home Detention User Fee Fund for purposes of Community Corrections and the County Auditor and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(g) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections and the County Auditor to fund personnel, home detention equipment, and supplies for the second six months of fiscal year 2003-2004.

SECTION 2. The sum of additional Seven Hundred Forty-nine Thousand Nine Hundred Twenty-seven Dollars (\$749,927) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services - fringes	103,709
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	349,710
2. Supplies	18,000
3. Other Services and Charges	225,008
4. Capital Outlay	<u>53,500</u>
TOTAL INCREASE	749,927

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>749,927</u>
TOTAL REDUCTION	749,927

SECTION 5. The projected December 31, 2004, fund balance for the Home Detention User Fee Fund is as follows:

Projected cash balance as of January 1, 2004	835,120
Anticipated additional revenue through December 31, 2004	<u>1,400,000</u>
Projected funds available	2,235,120
 2004 remaining appropriations, including all encumbrances	 0
Proposed additional appropriation (Proposal No. 672, 2003)	<u>749,927</u>
Total Requirements	749,927
 Projected fund balance December 31, 2004	 1,485,193

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

Proposal No. 673, 2003 was retitled FISCAL ORDINANCE NO. 171, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 171, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) appropriating an additional Twenty-one Thousand Five Hundred Fifty Dollars (\$21,550) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(g) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to provide additional funds for supplies due to growth in programming, financed by fund balances.

SECTION 2. The sum of Twenty -one Thousand Five Hundred Fifty Dollars. (\$21,550) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
2. Supplies <u>21,550</u>	
TOTAL INCREASE	21,550

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

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>21,550</u>
TOTAL REDUCTION	21,550

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

Current cash balance as of October 31, 2003	1,058,043
Anticipated additional revenue through December 31, 2003	<u>294,210</u>
Projected funds available	1,352,253
2003 remaining appropriations, including all encumbrances	495,633
Proposed additional appropriation (Proposal No. 673, 2003)	<u>21,500</u>
Total Requirements	517,133
Projected fund balance December 31, 2003	835,120

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

PROPOSAL NO. 634, 2003. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 634, 2003 on November 25, 2003. The proposal, sponsored by Councillor Massie, approves an increase of \$100,000 in the 2003 Budget of the Clerk of the Circuit Court (County General Fund) to pay legal services related to federal and state reimbursement for the purchase of voting machines, financed by fund balances. Councillor McWhirter said that the proposal was tabled by the Committee and was not recommended for action this evening. General Counsel Robert Elrod said that because the proposal was advertised for public hearing, the President still needs to call for testimony, even though no action is to be taken. President Borst called for public testimony at 8:31 p.m. There was no one present to testify.

Councillor McWhirter reported that the Administration and Finance Committee heard Proposal Nos. 659 and 660, 2003 on November 25, 2003. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 659, 2003. The proposal, sponsored by Councillors McWhirter and Nytes, approves temporary tax anticipation borrowing for the City for the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund and the Park General Fund during the period from January 1, 2004 through December 31, 2004. PROPOSAL NO. 660, 2003. The proposal, sponsored by Councillors McWhirter and Nytes, approves temporary tax anticipation borrowing for the County for the County General Fund and the County Family and Children's Fund during the period from January 1, 2004 through December 31, 2004. By 7-0 votes, the Committee reported Proposal No. 659, 2003 to the Council with the recommendation that it do pass and Proposal No. 660, 2003 to the Council with the recommendation that it do pass as amended.

President Borst called for public testimony at 8:32 p.m. There being no one present to testify, Councillor McWhirter moved, seconded by Councillor Nytes, for adoption. Proposal No. 659, 2003 and Proposal No. 660, 2003, as amended, were adopted on the following roll call vote; viz:

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

Proposal No. 659, 2003 was retitled FISCAL ORDINANCE NO. 172, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 172, 2003

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund and the Park General Fund during the period January 1, 2004, through December 31, 2004, in anticipation of current taxes levied in the year 2003 and collectible in the year 2004 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 2004 distributions of Taxes levied for such Account, and the June and December 2004 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Thirty Million Three Hundred Fourteen Thousand Ninety-Two Dollars (\$30,314,092) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 2004 distributions of Taxes levied for such Fund, and the June and December 2004 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Five Million Eight Hundred Four Thousand Ninety-six Dollars (\$5,804,096) and the interest cost of making temporary loans for the Police Pension Fund;

C. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 2004 distributions of Taxes levied for such Account, and the June and December 2004 distributions of Taxes to be collected for the

December 8, 2003

Consolidated City Fire Force Account will collectively amount to more than Twenty-five Million Seven Hundred Twelve Thousand Five Hundred Seventy-four Dollars (\$25,712,574) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and

D. that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 2004 distributions of Taxes levied for such Fund, and the June and December 2004 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Three Million Eight Hundred Thirty-four Thousand Six Hundred Twenty-six Dollars (\$3,834,626) and the interest cost of making temporary loans for the Firemen's Pension Fund; and

E. that there will be insufficient funds in the Park General Fund to meet the current expenses payable from such Fund prior to the June and December 2004 distributions of Taxes levied for such Fund, and the June and December 2004 distributions of Taxes to be collected for the Park General Fund will collectively amount to more than Fourteen Million Three Hundred Fifty-eight Thousand Seven Hundred Four Dollars (\$14,358,704) and the interest cost of making temporary loans for the Park General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 2003 and in the course of collection for the year 2004; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Thirty Million Three Hundred Fourteen Thousand Ninety-two Dollars (\$30,314,092) in anticipation of Taxes for the Account for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 2004 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 2004 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 2004 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of amount of Five Million Eight Hundred Four Thousand Ninety-six Dollars (\$5,804,096) in anticipation of Taxes for the Fund for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 2004 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 2004 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 2004 Budget Fund No. 810, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty-five Million Seven Hundred Twelve Thousand Five Hundred Seventy-four Dollars (\$25,712,574) in anticipation of Taxes for the Account for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 2004 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 2004 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 2004 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Three Million Eight Hundred Thirty-four Thousand Six Hundred Twenty-Six Dollars (\$3,834,626) in anticipation of Taxes for the Fund for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund from the June and December 2004 distributions of Taxes for the Firemen's Pension Fund to the Firemen's Pension Fund, the 2004 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Firemen's Pension Fund 2004 Budget Fund No. 811, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Park General Fund of the City in the maximum principal amount of Fourteen Million Three Hundred Fifty-eight Thousand Seven Hundred Four Dollars (\$14,358,704) in anticipation of Taxes for the Fund for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Park General Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Park General Fund from the June and December 2004 distributions of Taxes for the Park General Fund to the Park General Fund, the 2004 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Park General Fund 2004 Budget Fund No. 17, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 7. The Warrants for each Fund or Account may be issued in one series, designated Series 2004 Warrants ("Series 2004 Warrants") or in two series, designated Series 2004A and Series 2004B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2004 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2004 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 2004 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 30, 2004. All Series B Warrants and Series 2004 Warrants shall mature and be payable not later than December 31, 2004. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 7. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 7. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 6 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City

are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 8. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 2004
(_____[FUND] [ACCOUNT])

On the _____ day of _____, 2004, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of _____ Dollars (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 2003, and payable in the [first installment] [second installment] for the year 2004 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ _____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2003, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of 2003, payable in the [first installment] [second installment] for the year 2004, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 2004.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

EXHIBIT A
(Advances)

[End of Warrant Form]

SECTION 9. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 10. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

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

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants, the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

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

Proposal No. 660, 2003, as amended, was retitled FISCAL ORDINANCE NO. 173, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 173, 2003

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Family and Children's Fund ("Funds") during the period from January 1, 2004, through December 31, 2004, in anticipation of current taxes levied in the year 2003 and collectible in the year 2004 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

December 8, 2003

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Family and Children's Fund pending the receipt of Taxes actually levied in 2003 and in the process of collection in 2004, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Ninety Million Dollars (\$90,000,000) and the interest cost of making temporary loans for the County General Fund; and

B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Forty Million Dollars (\$40,000,000) and the interest cost of making temporary loans for the County Family and Children's Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 2003 and in the course of collection for the year 2004; now, therefore:

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

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Ninety Million Dollars (\$90,000,000) in anticipation of Taxes for the Fund for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 2004 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Forty Million Dollars (\$40,000,000) in anticipation of Taxes for the Fund for the year 2004, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 2004 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 2004 Warrants ("Series 2004 Warrants") or in two series, designated Series 2004A and Series 2004B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2004 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2004 for that Fund. The Series B Warrants for each Fund may be issued in an amount not to exceed the amount of the December 2004 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 2004. All Series B Warrants and Series 2004 Warrants shall mature and be payable not later than December 31, 2004. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be

redeemed as set forth in the purchase agreement with either the Indiana Bond Bank or The Indianapolis Local Public Improvement Bond Bank ("Local Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to either the Indiana Bond Bank pursuant to IC 5-1.5 or the Local Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and either the Indiana Bond Bank or the Local Bond Bank. In the event of a sale of such Warrants to either the Indiana Bond Bank or the Local Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the appropriate Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the appropriate Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

(d) The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 2004 _____
(_____ FUND)

On the _____ day of _____, 2004, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indiana Bond Bank or The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 2003, and payable from the [first installment] [second installment] for the year 2004 ("Taxes"), which Taxes are now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2003, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

December 8, 2003

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of 2003, payable in the [first installment] [second installment] for the year 2004, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this _____ day of _____, 2004.

THE BOARD OF COMMISSIONERS OF
MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A
(Advances)
[End of Warrant Form]

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

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

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 665, 2003. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 665, 2003 on November 20, 2003. The proposal, sponsored by Councillors Cockrum and Douglas, approves an increase of \$47,500 in the 2003 Budget of the Department of Parks and Recreation (Park General Fund) to pay for overtime costs incurred cleaning up after unexpected floods and windstorms this year, financed by fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:33 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Douglas, for adoption. Proposal No. 665, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 665, 2003 was retitled FISCAL ORDINANCE NO. 174, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 174, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 99, 2002) appropriating an additional Forty-seven Thousand Five Hundred Dollars (\$47,500) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2003 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to pay for overtime costs incurred cleaning up after unexpected floods and windstorms this year, financed by fund balance.

SECTION 2. The sum of Forty-seven Thousand Five Hundred Dollars (\$47,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	47,500
TOTAL INCREASE	47,500

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	47,500
TOTAL REDUCTION	47,500

SECTION 5. The projected December 31, 2003, fund balance for the Park General Fund is as follows:

Cash balance as of June 30, 2003	12,010,067
Estimated revenues June through December, 2003	<u>14,987,992</u>
Projected funds available	26,998,059
2003 remaining appropriations, including all encumbrances	24,950,488
Proposed additional appropriation (Proposal No. 665, 2003)	<u>47,500</u>
Total Requirements	24,997,988
Projected fund balance December 31, 2003	2,000,071

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

Councillor McWhirter reported that the Administration and Finance Committee heard Proposal Nos. 609, 663, and 664, 2003 on November 25, 2003. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 609, 2003. The proposal, sponsored by Councillors Moriarty Adams, Talley, and Dowden, determines the need to lease office space at 148 East Market Street for use by the Department of Public Safety's citizens police complaint office and weights and measures division. PROPOSAL NO. 663, 2003. The proposal, sponsored by Councillors Nytes, Talley, Sanders, and McWhirter, allows the City to pick up additional employee contributions to PERF through a payroll deduction, and to treat such amounts as pre-tax "pick-up" contributions. PROPOSAL NO. 664, 2003. The proposal, sponsored by Councillors McWhirter, Talley, and Langsford, authorizes the County to pay the employee's contribution to the pension plan for merit officers of the Marion County Sheriff's Department during the period of military leave. By a 7-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor McWhirter moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 609, 663, and 664, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 609, 2003 was retitled SPECIAL RESOLUTION NO. 103, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 103, 2003

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 2,460 square feet of office space at 148 East Market Street, Indianapolis, Indiana, for use as office space by the Department of Public Safety's citizens police complaint office and weights and measures division.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of office space for use by the Department of Public Safety's citizens police complaint office and weights and measures division, is needed.

SECTION 2. The property to be leased is located at 148 East Market Street, Indianapolis, Indiana. Such property is owned by Pierpont Associates, LLC, the members of which are Albert M. Donato, Jr., GSA Investment Co., Carl E. Brehob, R. Dale Lentz, DDS, and Robert P. Schaler.

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

Proposal No. 663, 2003 was retitled SPECIAL RESOLUTION NO. 104, 2003, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 104, 2003

PROPOSAL FOR A SPECIAL RESOLUTION for employer participation in the pick-up of additional employee contributions.

WHEREAS, Indiana Code 5-10.2-3-2 authorizes Employers, pursuant to Section 414(h)(2) of the Internal Revenue Code, to pick-up and pay employee contributions to an employee's annuity savings account which are made in addition to the mandatory employee contribution (hereinafter "additional employee contributions"), in accordance with rules adopted by the Indiana Public Employees' Retirement Fund (hereinafter "Fund"); and

WHEREAS, the Fund has adopted a rule governing the pick-up of additional employee contributions by Employers at 35 IAC 11 ("Elective Payroll Deductions for Additional Contributions") (hereinafter "Pick-Up Regulation"); and

WHEREAS, Indiana Code 5-10.2-3-2 authorizes participating Employers to withhold the additional employee contributions from an employee's wages for contribution to the member's annuity savings account, and to treat the withheld amounts as pre-tax "pick-up" contributions under Section 414(h)(2) of the Internal Revenue Code when such treatment is irrevocably elected by the employee; and

WHEREAS, eligible employees of the City of Indianapolis, Indiana participate in the Indiana Public Employees' Retirement Fund; and

WHEREAS, it is the desire of the City of Indianapolis, Indiana to pick-up all of the additional employee contributions made by participating employees who are paid from funds controlled by the City Controller and are members of the Indiana Public Employees' Retirement Fund; now, therefore:

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

SECTION 1. That effective as of January 1, 2004, the City of Indianapolis, Indiana desires to pick-up all of the additional employee contributions made by its employees paid from funds under control of the City Controller through a binding irrevocable payroll deduction authorization. No additional employee contributions prior to such date shall be picked-up.

SECTION 2. That said additional employee contributions for state law purposes, and withheld from pay under the terms of the Pick-Up Regulation and IC 5-10.2-3-2, are being paid by the City of Indianapolis, Indiana in lieu of said contributions by the employee.

SECTION 3. That the City of Indianapolis, Indiana shall comply with all of the terms and provisions of the Pick-Up Regulation and applicable provisions of the Internal Revenue Code.

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

Proposal No. 664, 2003 was retitled GENERAL ORDINANCE NO. 113, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 2003

A GENERAL ORDINANCE amending Section 291-210 of the "Revised Code of the Consolidated City and County," to compensate certain National Guard and Reserve city and county employees who are called up for active military duty.

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

SECTION 1. Sec. 291-210 of the Revised Code of the Consolidated City and County be, and is hereby, amended by deleting the language stricken through and inserting the underlined text to read as follows:

Sec. 291-210. Military leave.

(a) *In General.* Military leave shall be granted in accordance with appropriate state and federal law. In accordance with state law, a maximum of fifteen (15) eight-hour working days of paid military leave shall be granted. If an employee exceeds fifteen (15) days of military leave, then he/she may elect to go on leave without pay or to exhaust appropriate paid leave.

(b) *Special benefits for certain extended active duty.* As a demonstration of the gratitude of the people of Indianapolis and Marion County for city and county public employees whose lives are disrupted and who might suffer financial and personal hardships by answering the call to bear arms for military duty to defend America's freedom and way of life during state or national emergencies, the following supplemental military leave fringe benefits shall be provided to eligible employees whose active duty extends beyond the fifteen (15) days leave provided under subsection (a):

- (1) For purposes of this subsection (b), "eligible employee" means any employee of the City of Indianapolis or of Marion County, including merit officers of the Marion County Sheriff's Department, the Indianapolis Police Department and the Indianapolis Fire Department, that serve in the National Guard or any reserve component of the armed forces of the United States and who by order of the Governor of Indiana or the President of the United States are placed on full-time active duty for more than thirty (30) days.
- (2) If an eligible employee's active duty base on a weekly basis is less than the normal work-week salary or wages earned by the eligible employee at the time of activation, such eligible employee shall receive a weekly payment as a fringe benefit equal to that difference, paid on the same schedule as if the employee were not on military leave.
- (3) If an eligible employee was a participant in a health benefit program provided by the City or County that covered dependants of the eligible employee, the city or county shall pay the employee/employer contribution for such dependant coverage during such military leave.
- (4) The employer contribution to PERF for an eligible employee shall be continued during the period of military leave.
- (5) For each eligible employee who is a merit officer of the Marion County Sheriff's Department, the employer shall pay the employee's contribution to the pension plan during the period of military leave.
- (~~5~~6) An eligible employee who serves more than thirty (30) days and less than one hundred eighty (180) days on continuous active duty shall be granted an additional week of paid vacation leave; and an eligible employee who serves one hundred eighty (180) or more days of continuous active duty shall be granted an additional two weeks of paid vacation leave, in accordance with the department's current policies and procedures.

(67) The benefits provided under this subsection shall be administered as follows:

- (i) Eligible employees who wish to apply for these benefits shall notify the City Controller or County Auditor, or their respective designees, of their activation as soon as possible after activation of their intent to claim such benefits providing documentation and verification of their orders to full-time active duty.
- (ii) The benefits provided under this subsection shall be paid from the personal services appropriations of the respective agency who employed the eligible employee; and the Council will entertain transfers or additional appropriation requests from any agency whose budget is inadequate to cover such benefits.

(78) This subsection shall be retroactive to January 1, 2003, for employees hired prior to that date.

SECTION 2. The Council urges all citizens and employers in Indianapolis to do whatever is possible to help make special adjustment efforts to demonstrate appreciation to those citizen-soldiers who respond to their military commitment during extraordinary times.

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

PROPOSAL NO. 617, 2003. Councillor Bradford reported that the Community Affairs Committee heard Proposal No. 617, 2003 on December 8, 2003. The proposal, sponsored by Councillor Bradford, approves a transfer of \$7,529 in the 2003 Budgets of the County Auditor and the Cooperative Extension Service (County Grants Fund) to provide for a salary shortfall and an increase in fringe benefit allowance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bradford moved, seconded by Councillor Black, for adoption. Proposal No. 617, 2003 was adopted on the following roll call vote; viz:

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

1 NOT VOTING: Gray

Proposal No. 617, 2003 was retitled FISCAL ORDINANCE NO. 175, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 175, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 96, 2002) transferring and appropriating an additional Seven Thousand Five Hundred Twenty-nine Dollars (\$7,529) in the County Grants Fund for purposes of the Cooperative Extension Service and the County Auditor and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section I(m) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Cooperative Extension Service and the County Auditor to cover salary shortfall and increase the fringe benefit allowance.

SECTION 2. The sum of Seven Thousand Five Hundred Twenty-nine Dollars (\$7,529) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services-fringes	4,356
<u>COOPERATIVE EXTENSION SERVICE</u>	
1. Personal Services	<u>3,173</u>
TOTAL INCREASE	7,529

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

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	1,307
3. Other Services and Charges	<u>6,222</u>
TOTAL DECREASE	7,529

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

PROPOSAL NO. 662, 2003. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 662, 2003 on November 25 and December 8, 2003. The proposal, sponsored by Councillor Dowden, transfers the powers and duties of the Enhanced Access Board to the Information Technology Board and abolishes the Enhanced Access Board. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes said that she presented an amendment in Committee which failed, but that she feels even more strongly about it now. She said that she has no problem in combining the boards for more efficiency, but that she is discouraged that the Council's role in determining who serves is lessened. She said that her amendment would give the Council the opportunity to appoint the County constitutional officers that will serve on this board. She said she believes this was a midnight ordinance added to the docket to rush through before a changeover in members. She made the following motion:

Mr. President:

I move to amend Proposal No. 662, 2003, to substitute a new Sec. 281-211 for that which appears in Section 1 of the proposal, to read as follows:

Sec. 281-211. Board created; members; compensation.

(a) To ensure enterprise-wide connectivity, compatibility and integration of information technology and the cost effective provision of quality information systems and services, including telecommunications, there is hereby created the county information technology board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) Two (2) city officers appointed by the mayor of the city to serve at the pleasure of the mayor. One (1) such person shall be a representative for public safety agencies, and the other shall be a representative for public service agencies;
- (2) ~~Two (2)~~ Three (3) of four (4) county constitutional officeholders, limited to the auditor, ~~and the clerk, the sheriff or and the~~ treasurer of the county, to be appointed by and serve at the pleasure of the council;
- (3) One (1) representative appointed by the presiding judges of the county superior court, representing the judicial branch of local government;
- (4) Two (2) persons, with senior management experience which includes holding or having held line authority over the manager of the data processing area of an organization located in Marion County, that utilizes a large data processing installation comparable to the city-county installation, and that is not in the business of selling data processing

equipment or services. One (1) such person shall be appointed by the council and the other by the mayor. The terms of such appointments shall be staggered by the initial appointment of the mayor's appointment to a three-year term and the council's appointment to a two-year term; thereafter each to serve for two-year terms but at the pleasure of the respective appointing authority; and

- (5) One (1) township assessor appointed by the majority vote of the nine (9) township assessors of Marion County; ~~and~~.
- (6) ~~The chief information officer.~~

(b) Board members shall serve in person and not by proxy, and without compensation, except that personal expenses incurred through service to the board, travel, lodging and fees may be reimbursed to the board member upon authorization of the board.

Councilor Talley seconded the motion.

Councillor Dowden urged his colleagues to vote against the amendment. He said that the amendment was already defeated in Committee and the board itself asked that the County Treasurer be added to the board and serve as the chair of the review committee.

Councillor Talley said that Councillor Dowden is not speaking to the amendment, and the amendment does not deny the County Treasurer the opportunity to serve, it simply gives the Council the opportunity to decide which County official best fits to serve.

Councillor Gibson said that he supports the amendment because he believes it is important that the County Sheriff serve on this board due to significant public safety technology needs.

Councillor Short said that the original proposal takes authority away from this Council body and he also supports the amendment.

Councillor Horseman said that nine members is a better number, with no concern for a tie-breaking vote being necessary. She said that it seems Councillor Dowden only wants Republican County office holders to sit on this board.

Councillor Nytes said that these appointments matter more than may be evident on the surface. She said that there will shortly be a new request for proposals going out for a new information technology contract, and the Council needs to have a say in who makes these kinds of decisions.

Councillor McWhirter encouraged her fellow Council members to defeat the amendment, as was done in Committee, and said that the Mayor appoints a public safety representative to this board, which could very easily be the County Sheriff.

Proposal No. 662, 2003 was amended on the following roll call vote; viz:

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

Councillor Nytes moved, seconded by Councilor Talley, for adoption as amended. Proposal No. 662, 2003, as amended, was adopted on the following roll call vote; viz:

December 8, 2003

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

Proposal No. 662, 2003, as amended, was retitled GENERAL ORDINANCE NO. 114, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 2003

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by amending Article II of Chapter 281 and Article III of Chapter 285, thereby transferring the powers and duties of the Enhanced Access Board to the Information Technology Board and abolishing the Enhanced Access Board.

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

SECTION 1. Section 281-201 of Chapter 281 of the Revised Code of the Consolidated City and County is hereby amended by deleting the words stricken through and inserting the words underlined as follows:

ARTICLE II. INFORMATION TECHNOLOGY BOARD

Sec. 281-201. Definitions.

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

- (a) *Board* means the Marion County Information Technology Board.
- (b) *Chief information officer* means the director of the information services agency and team leader of the IT team.
- (c) *Council* means the city-county council of Indianapolis and Marion County.
- (d) *ISA* means the information services agency of Indianapolis and Marion County.
- (e) *IT* means all aspects of information technology, data processing and related services including telecommunications.
- (f) *IT team* means the information technology integration and coordinating team.
- (g) *Subject agencies* means any and all agencies, officers, offices, boards, commissions, divisions and departments of the city, of the county, units of township government in the county, and any court or prosecutor funded by the county.
- (h) *Telecommunications* means all aspects of telephone services, including voice, data and video transmission and equipment.
- (i) *User* means any and all subject agencies as defined herein and any and all other entities which use the services of ISA.
- (j) *Enhanced access activities* means activities necessary for the provision of enhanced access services in accordance with Chapter 285, Article III of this Revised Code.

SECTION 2. Sections 281-211, 281-212, and 281-213 of Chapter 281 of the Revised Code of the Consolidated City and County is hereby amended by deleting the words stricken through and inserting the words underlined as follows:

Sec. 281-211. Board created; members; compensation.

- (a) To ensure enterprise-wide connectivity, compatibility and integration of information technology and the cost effective provision of quality information systems and services, including

telecommunications, there is hereby created the county information technology board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) Two (2) city officers appointed by the mayor of the city to serve at the pleasure of the mayor. One (1) such person shall be a representative for public safety agencies, and the other shall be a representative for public service agencies;
- (2) ~~Two (2)~~ Three (3) of four (4) county constitutional officeholders, limited to the auditor, ~~and the clerk, the sheriff or and the~~ treasurer of the county, to be appointed by and serve at the pleasure of the council;
- (3) One (1) representative appointed by the presiding judges of the county superior court, representing the judicial branch of local government;
- (4) Two (2) persons, with senior management experience which includes holding or having held line authority over the manager of the data processing area of an organization located in Marion County, that utilizes a large data processing installation comparable to the city-county installation, and that is not in the business of selling data processing equipment or services. One (1) such person shall be appointed by the council and the other by the mayor. The terms of such appointments shall be staggered by the initial appointment of the mayor's appointment to a three-year term and the council's appointment to a two-year term; thereafter each to serve for two-year terms but at the pleasure of the respective appointing authority; and
- (5) One (1) township assessor appointed by the majority vote of the nine (9) township assessors of Marion County; ~~and.~~
- ~~(6) The chief information officer.~~
- (b) Board members shall serve in person and not by proxy, and without compensation, except that personal expenses incurred through service to the board, travel, lodging and fees may be reimbursed to the board member upon authorization of the board.

Sec. 281-212. Powers and duties.

- (a) The board shall have the following powers and duties:
 - (1) To establish and revise information technology guidelines, standards and benchmark processes for subject agencies and other users;
 - (2) To establish and maintain procedures for the technology related planning, approval and quality review of information technology operations and initiatives;
 - (3) To review, approve and administer major IT contracts;
 - (4) To define at least five (5) functional classifications for representation of the various subject agencies on the IT team;
 - (5) To review and make recommendations concerning all information budgets, and approve all operating systems, contracts and expenditures for IT services, equipment purchase, rent or lease, consultants, management or technical personnel, studies, programs and IT materials or supplies for any and all users;
 - (6) To conduct studies and evaluations of any and all IT needs and current systems operations of users;
 - (7) To contract for technical and specialized assistance in administering its duties;
 - (8) To require annual IT service plans and resources inventories from all users;
 - (9) To develop, maintain and communicate IT services policy and administrative procedures for users and an IT services master plan for users;
 - (10) To employ, or retain by personal services contract, a chief information officer, who shall have such duties as established herein, to serve at the pleasure of the board;

- (11) To promulgate rules and regulations for the efficient administration of its policies and procedures for users;
- (12) To develop and oversee adherence to standards for security and confidentiality of all data, information and telecommunication systems, including backup/recovery plans;
- (13) The exclusive power to select and contract with telecommunication providers for all city and county offices and agencies, whose expenditures for such services are paid from funds subject to appropriation by the city-county council;
- (14) To delegate any functions to the chief information officer or the IT team, subject to review by the board.

(b) In addition to the powers and duties described in subsection (a), the board shall perform all enhanced access activities under Chapter 285, Article III of this Revised Code.

~~(b c)~~ Should any powers granted by this article conflict with powers granted under IC 36-8-15-1 et seq. or sections 285-611 et seq. of this Code or Chapter 851 or Article I of Chapter 285, the provisions of IC 36-8-15-1 et seq. or sections 285-611 et seq. of this Code or Chapter 851 or Article I of Chapter 285 shall control.

Sec. 281-213. Officers; quorum; meetings.

(a) The officers of the board shall be a chairperson and a secretary. The chairperson and the secretary shall be elected by the board. All contracts, agreements, resolutions and official communications of the board shall be in writing and be executed by these officers upon being authorized by motion passed by the board by simple majority of its members present.

(b) A quorum of the board for official action in session shall be ~~four (4)~~ five (5) members, ~~other than the chief information officer. The chief information officer shall vote only in those matters in which there is a tie vote of the members present.~~ Official minutes of meetings shall be kept by the chief information officer.

(c) The board shall meet monthly at such place and time as may be set by the chairperson, and may meet at such other times and places as may be needed in special session called by the chairperson for a particular purpose. All meetings, whether regular or special, shall be open to the public. No official action may be taken by the board except at a public meeting, whether regular or special. Board members may confer from time to time in executive session without the necessity of calling a public meeting as applicable by law.

SECTION 3. Sections 285-302, 285-303, and 285-304 of Chapter 285 of the Revised Code of the Consolidated City and County is hereby amended by deleting the words stricken through and inserting the words underlined as follows:

**ARTICLE III. MARION COUNTY ENHANCED ACCESS BOARD
FOR THE CONSOLIDATED CITY AND COUNTY**

Sec. 285-301. Intent of article.

In enacting this article, the council finds and declares that the Consolidated City of Indianapolis and Marion County, together with all of its public agencies, exists solely to aid the citizens of the county. The council finds and declares that the Consolidated City of Indianapolis and Marion County can better serve the citizens of the county by providing an electronic means through which citizens can obtain public information and otherwise interact with public agencies. The purpose of this article is to encourage and facilitate access to computerized information and government services through the establishment of enhanced access services. This article shall be liberally construed to effect that purpose.

Sec. 285-302. Definitions.

As used in this article and in Chapter 281, Article II of this Revised Code:

(a) ~~Board and enhanced access board means the enhanced access board of the county created by section 285-303 of this article~~ Marion County Information Technology Board created by section 281-201 of this Revised Code.

(b) *Computerized information* means any public information which could be made available for inspection by means of enhanced access.

(c) *Custodian* means the public agency which compiles, collects, creates or otherwise obtains or maintains computerized information in the course of carrying out its legal duties. "Custodian" shall not mean the information services agency of Indianapolis and Marion County or the county justice agency, which provide management information services to other public agencies.

(d) *Enhanced access* means either:

- (1) Access to computerized information or government services by means of an electronic device other than an electronic device provided by a public agency in the office of the public agency; or
- (2) The computerized compilation or creation of a list or report that does not result in the permanent electronic storage of the information.

(e) *Enhanced access end product* means information or services provided by a public agency or agencies through enhanced access.

(f) *Enhanced access fee* means a reasonable fee authorized under IC 5-14-3-8(h) and charged by a public agency or agencies, or an agent of a public agency or agencies, for access to an enhanced access end product. The enhanced access fee shall include only that portion of the fee which is in excess of any fee otherwise authorized by statute or ordinance for the information or service provided in the enhanced access end product.

(g) *Enhanced access review committee* or *review committee* means the enhanced access review committee created by section 285-306 of this article.

(h) *Fund* means the enhanced access fund created by section ~~285-308 of this article~~ 135-511 of this Revised Code.

(i) *Public agency* means a governmental department, office, court, elected official or other entity whose budget is subject to approval by the city-county council of the Consolidated City of Indianapolis and Marion County.

~~Sec. 285-303. Enhanced access board created.~~

~~(a) To encourage, stimulate and coordinate the development, operation, and expansion of enhanced access services for the Consolidated City of Indianapolis and Marion County, there is hereby created the enhanced access board of the county. The enhanced access board consists of:~~

- ~~(1) The county auditor;~~
- ~~(2) The county clerk;~~
- ~~(3) The county prosecutor;~~
- ~~(4) The county recorder;~~
- ~~(5) The county sheriff;~~
- ~~(6) The county treasurer;~~
- ~~(7) The controller of the City of Indianapolis;~~
- ~~(8) The director of the department of public safety of the City of Indianapolis;~~
- ~~(9) The director of the department of administration of the City of Indianapolis;~~
- ~~(10) The director of the department of metropolitan development of the City of Indianapolis;~~
- ~~(11) The director of the information services agency of Indianapolis and Marion County;~~
- ~~(12) One (1) person appointed by majority vote of the county justice agency board;~~

~~(13) One (1) township assessor appointed by majority vote of the nine (9) township assessors of the county;~~

~~(14) One (1) judge appointed by majority vote of the judges of the courts of record of the county; and~~

~~(15) One (1) city-county councillor appointed by majority vote of the city-county council.~~

~~(b) Any member of the board may designate in writing any person to serve as a designated member in the member's stead. Designees shall serve at the pleasure of the designating member. A designee may not designate a person to serve in the designee's stead under this subsection (b).~~

~~(c) Members appointed to the board by majority vote of other public officials, under the terms of subsection (a) of this section, shall serve for a fixed term of one (1) year, or until a replacement member is duly appointed.~~

~~(d) The enhanced access board shall elect a chairperson and a secretary, and shall adopt such rules for the performance of its duties as it shall deem necessary.~~

~~(e) Eight (8) members of the enhanced access board shall constitute a quorum for the purpose of conducting the business of the board.~~

Sec. 285-304. Scope of authority.

In exercising its powers and duties with regards to enhanced access and enhance access end products, ~~The enhanced access~~ board's scope of authority shall be limited to:

- (1) Enhanced access involving requests for multiple records contained in one (1) or more computer databases;
- (2) Enhanced access in which two (2) or more public agencies are the custodians of the computerized information utilized in the end product or in which the enhanced access end product is similar to the end product being provided by any other public agency; and
- (3) Establishing an enhanced access fee for any enhanced access proposal in which an enhanced access fee is proposed.

SECTION 4. Section 285-309 of Chapter 285 of the Revised Code of the Consolidated City and County is hereby amended by deleting the words stricken through and inserting the words underlined as follows:

Sec. 285-309. Appeal to the board.

(a) Any public agency which disagrees with the decision of the review commi ttee concerning that agency's enhanced access proposal or any agency which is a co-custodian of the public information or which has a similar enhanced access end product may file a written request for review of such decision with the chairperson of the board, who shall place such request on the agenda of the special meeting of the board for purpose of reviewing the submitting agency's enhanced access proposal. The decision of this board shall be final.

(b) The ~~enhanced access~~ board shall be the final arbiter of enhanced access disputes, including all disputes concerning custody of computerized information, reasonableness of fee structures, and the determination of whether multiple enhanced access end products are similar, except that the circuit and superior courts shall be the final arbiter of enhanced access disputes regarding their respective court records.

(c) Except as provided in section 285-310, the ~~enhanced access~~ board may neither prohibit nor require enhanced access to any computerized information over the objection of any custodian of that computerized information.

SECTION 5. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not effect any rights or liabilities accrued prior to the effective date of this ordinance. Those rights and liabilities are continued and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTON 6. 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

provisions shall not be affected, if and only if such remaining provisions can, without the invalid provisions 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 7. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 668-670, 2003 on November 19, 2003. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 668, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$18,000 in the 2003 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to correct an error in the original grant award (Project Safe Neighborhoods grant). PROPOSAL NO. 669, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$18,900 in the 2003 Budget of the Marion County Justice Agency (State and Federal Grant Fund) to correct an error in the original grant award (Evaluation of the Marion County's Cite and Release and Emergency Jail Release Policies Grant). PROPOSAL NO. 670, 2003. The proposal, sponsored by Councillor Dowden, approves a transfer of \$42,205 in the 2002 Budget of the Marion Superior Court, Juvenile Division, (State and Federal Grants Fund) to cover capital expenses (Juvenile Accountability Incentive Block Grant #4). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 668-670, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 668, 2003 was retitled FISCAL ORDINANCE NO. 176, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 176, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Eighteen Thousand Dollars (\$18,000) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.(i) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to correct an error in the original loading of grant money (Project Safe Neighborhoods grant).

SECTION 2. The sum of Eighteen Thousand Dollars (\$18,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>18,000</u>
TOTAL INCREASE	18,000

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

December 8, 2003

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>18,000</u>
TOTAL DECREASE	18,000

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

Proposal No. 669, 2003 was retitled FISCAL ORDINANCE NO. 177, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 177, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Eighteen Thousand Nine Hundred Dollars (\$18,900) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and County Auditor and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.(i) of the City-County Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to correct an error in the original grant award (Evaluation of the Marion County's Cite and Release and Emergency Jail Release Policies Grant).

SECTION 2. The sum of Eighteen Thousand Nine Hundred Dollars (\$18,900) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>18,900</u>
TOTAL INCREASE	18,900

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	2,780

<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	<u>16,120</u>
TOTAL DECREASE	18,900

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

Proposal No. 670, 2003 was retitled FISCAL ORDINANCE NO. 178, 2003, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 178, 2003

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 97, 2002) transferring and appropriating an additional Forty-two Thousand Two Hundred Five Dollars (\$42,205) in the State and Federal Grants Fund for purposes of the Marion Superior Court, Juvenile Division, and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2003 be, and is hereby, amended by

the increases and reductions hereinafter stated for purposes of the Marion Superior Court, Juvenile Division, to cover capital expenses (Juvenile Accountability Incentive Block Grant #4).

SECTION 2. The sum of Forty-two Thousand Two Hundred Five Dollars (\$42,205) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT, JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	42,205
TOTAL INCREASE	42,205

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

<u>MARION SUPERIOR COURT, JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personnel Services	27,500
3. Other Services and Charges	14,705
TOTAL DECREASE	42,205

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

Councillor Bainbridge reported that the Public Works Committee heard Proposal Nos. 635-640, and 678-690, 2003 on December 2, 2003. He asked for consent to vote on Proposal Nos. 635-640, 678-686, and 690, 2003 together. Consent was given.

PROPOSAL NO. 635, 2003. The proposal, sponsored by Councillor Coonrod, authorizes intersection controls for Lawrence Lake Subdivision, Sections 1 and 2 (District 5). PROPOSAL NO. 636, 2003. The proposal, sponsored by Councillor Coonrod, authorizes a multi-way stop at Tidewater Court and Tidewater Drive (District 5). PROPOSAL NO. 637, 2003. The proposal, sponsored by Councillors Coonrod and Talley, authorizes a multi-way stop at Aristocrat Lane and Pepperidge Drive (Districts 5, 14). PROPOSAL NO. 638, 2003. The proposal, sponsored by Councillor Frick, authorizes a multi-way stop at 66th Street and Cornell Avenue (District 2). PROPOSAL NO. 639, 2003. The proposal, sponsored by Councillor McWhirter, authorizes a multi-way stop at Country Club Boulevard and Kayla Drive (District 18). PROPOSAL NO. 640, 2003. The proposal, sponsored by Councillor Smith, authorizes parking restrictions on Bazil Avenue from McGaughey Road to Dead End (District 23). PROPOSAL NO. 678, 2003. The proposal, sponsored by Councillor Knox, authorizes intersection controls for Hancock Street and Ida Street (District 17). PROPOSAL NO. 679, 2003. The proposal, sponsored by Councillor Langsford, authorizes a multi-way stop at the intersection of Forsythia Drive and Orchid Lane (District 13). PROPOSAL NO. 680, 2003. The proposal, sponsored by Councillors Brents and Nytes, authorizes a change in parking restrictions on Ft. Wayne Avenue between New Jersey Street and 10th Street (Districts 16, 22). PROPOSAL NO. 681, 2003. The proposal, sponsored by Councillor Brents, authorizes a change in parking restrictions on Maryland Street between Missouri Street and Illinois Street (District 16). PROPOSAL NO. 682, 2003. The proposal, sponsored by Councillor Brents, authorizes parking restrictions on Illinois Street between Merrill Street and South Street (District 16). PROPOSAL NO. 683, 2003. The proposal, sponsored by Councillor Brents, authorizes parking restrictions on Illinois Street between Washington Street and Ohio Street (District 16). PROPOSAL NO. 684, 2003. The proposal, sponsored by Councillor Douglas, authorizes parking restrictions on Dequincy Street between 23rd Street and Dead End north of 23rd Street (District 10). PROPOSAL NO. 685, 2003. The proposal, sponsored by Councillor Nytes, authorizes parking restrictions on Delaware Street from Fall Creek Parkway S. Drive to Fall Creek Parkway N. Drive (District 22). PROPOSAL NO. 686, 2003. The proposal, sponsored by Councillor Nytes, authorizes parking restrictions on 14th Street between College Avenue and Dead End east of College Avenue (District 22). PROPOSAL NO. 690, 2003. The proposal, sponsored by Councillor Brents, authorizes a change in one-way

traffic and two-way traffic on Limestone Street between New York Street and Michigan Street (District 16). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Bainbridge moved, seconded by Councillor Brents, for adoption. Proposal Nos. 635-640, 678-686, and 690, 2003 were adopted on the following roll call vote; viz:

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

Proposal No. 635, 2003 was retitled GENERAL ORDINANCE NO. 115, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Black Locust Dr 38 th St	38 th St	Stop
21	Black Locust Dr Water Birch Dr	Water Birch Dr	Stop
21	Burning Bush Dr Narrowleaf Dr Leo Dr	Burning Bush Dr Narrowleaf Dr	Stop
21	Narrowleaf Ct Narrowleaf Dr	Narrowleaf Dr	Stop
21	Narrowleaf Dr Roundwood Dr	Narrowleaf Dr	Stop
21	Roundwood Ct Roundwood Dr	Roundwood Dr	Stop

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

Proposal No. 636, 2003 was retitled GENERAL ORDINANCE NO. 116, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7	Tidewater Ct Tidewater Dr	Tidewater 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>
7	Tidewater Ct Tidewater 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. 637, 2003 was retitled GENERAL ORDINANCE NO. 117, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Aristocrat Ln Pepperidge Dr	Pepperidge 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>
21	Aristocrat Ln Pepperidge 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. 638, 2003 was retitled GENERAL ORDINANCE NO. 118, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 2003

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

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

December 8, 2003

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	66 th St Cornell Av	Cornell 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>
11	66 th St Cornell Av	None	All Way Stop

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

Proposal No. 639, 2003 was retitled GENERAL ORDINANCE NO. 119, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Country Club Blvd Kayla Dr	Country Club Blvd	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>
22	Country Club Blvd Kayla 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. 640, 2003 was retitled GENERAL ORDINANCE NO. 120, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 2003

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

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

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

Bazil Avenue, on the east side, from a point 580 feet north of McGaughey Road,
to dead end north of McGaughey Road

Bazil Avenue, on the west side, from McGaughey Road to the dead end north of McGaughey Road

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

Proposal No. 678, 2003 was retitled GENERAL ORDINANCE NO. 121, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31	Hancock St Ida St	Hancock 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. 679, 2003 was retitled GENERAL ORDINANCE NO. 122, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 2003

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27	Forsythia Dr Orchid Ln	Orchid 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>
27	Forsythia Dr Orchid Ln	None	All Way Stop

December 8, 2003

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

Proposal No. 680, 2003 was retitled GENERAL ORDINANCE NO. 123, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 2003

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets; and Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
From 6:00 a.m. to 9:00 a.m.

Fort Wayne Avenue, on the north side, from Pennsylvania Street to Tenth Street

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:

Fort Wayne Avenue, on the north side, from New Jersey Street to Tenth Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
From 6:00 a.m. to 9:00 a.m.

Fort Wayne Avenue, on the north side, from Pennsylvania Street to New Jersey Street

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

Proposal No. 681, 2003 was retitled GENERAL ORDINANCE NO. 124, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 2003

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

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m.
From 3:00 p.m. to 6:00 p.m.

Maryland Street, on the north side, from a point 270 feet west of Capitol Avenue to Illinois Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

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

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

Maryland Street, on the north side, from Capitol Avenue to Illinois Street

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

Proposal No. 682, 2003 was retitled GENERAL ORDINANCE NO. 125, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 2003

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated; Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets; and Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

TWO HOURS

*Illinois Street, on the east side, from a point 288 feet north of Merrill Street,
to a point 86 feet south of South Street*

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:

Illinois Street, on the east side, from a point 218 feet north of Henry Street to South Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

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

Illinois Street, on the east side, from Merrill Street to a point 218 feet north of Henry 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:

TWO HOURS

*Illinois Street, on the east side, from a point 96 feet north of Henry Street,
to a point 218 feet north of Henry Street*

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

Proposal No. 683, 2003 was retitled GENERAL ORDINANCE NO. 126, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 2003

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets; Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours; and Sec. 621-402, Bus stop and trolley stop zones.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, 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 SATURDAYS AND SUNDAYS
From 3:00 p.m. to 6:00 p.m.

Illinois Street, on the east side, from Washington Street to Ohio Street

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:

Illinois Street, on the east side, from Washington Street to Court Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-402, Bus stop and trolley stop zones, be and the same is hereby amended by the addition of the following, to wit:

Illinois Street, on the east side, from Washington Street to Court Street

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

Proposal No. 684, 2003 was retitled GENERAL ORDINANCE NO. 127, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 2003

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

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

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

Dequincy Street, on both sides, from 23rd Street to the dead end north of 23rd Street

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

Proposal No. 685, 2003 was retitled GENERAL ORDINANCE NO. 128, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 128, 2003

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

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

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

Delaware Street, on the east side, from a point 70 feet south of Fall Creek Parkway S. Drive,
to Fall Creek Parkway N. Drive

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

Proposal No. 686, 2003 was retitled GENERAL ORDINANCE NO. 129, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 129, 2003

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

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

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

Fourteenth Street, on the south side, from College Avenue to the dead end east of College Avenue

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

Proposal No. 690, 2003 was retitled GENERAL ORDINANCE NO. 130, 2003, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 130, 2003

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-342, One-way streets and alleys designated; and Sec. 621-121, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-342, One-way streets and alleys designated, be and the same is hereby amended by the deletion of the following, to wit:

ONE WAY SOUTHBOUND

Limestone Street, from Michigan Street to New York 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:

Limestone Street, on the east side, from New York Street to a point 115 feet north of Porto Alegre Street

Limestone Street, on the east side, from a point 465 feet north of Porto Alegre Street to Michigan Street

Limestone Street, on the west side, from New York Street to Michigan Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Limestone Street, on the both sides, from New York Street to Michigan Street

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

Councillor Bainbridge asked for consent to vote on Proposal Nos. 687-689, 2003 together. Consent was given.

PROPOSAL NO. 687, 2003. The proposal, sponsored by Councillor Nytes, authorizes no left turn restrictions on Fall Creek Parkway on College Avenue (District 22). PROPOSAL NO. 688, 2003. The proposal, sponsored by Councillor Nytes, authorizes no left turn restrictions on Fall Creek Parkway N. Drive at 30th Street (District 22). PROPOSAL NO. 689, 2003. The proposal, sponsored by Councillors Black, Boyd, and Nytes, authorizes no left turn restrictions on Fall Creek Parkway N. Drive at 38th and 39th Streets (Districts 6, 11, 22). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Bradford said that Proposal Nos. 687 and 688, 2003 have already been done and he does not understand why the department is coming to the Council after the fact.

Councillor Dowden said that these intersections affect traffic around the Indiana State Fairgrounds and he asked if the State Fair Board and the Indianapolis Police Department have been consulted regarding the effect these changes will have on the fairground traffic.

Councillor Nytes said that these changes were put in place as part of the Hyperfix project and were simply a temporary measure. As the Hyperfix was completed, the Department of Public Works reviewed some of the changes that had been temporarily made and recommended that some of these be made permanent. She said that some of the changes that the department shared with her, she denied to sponsor, but felt that these three made sense to implement on a permanent basis. She said that the administration of the fairgrounds is aware and in favor of continuing these regulations. She said that traffic volume around that area is very heavy and these changes make it manageable.

Councillor Coughenour said that these changes make it very difficult for southside residents to come to the fairgrounds for events. Councillor Nytes said that the people at the fairgrounds were consulted and they felt it was a difficult intersection and left turns make it a real burden.

Councillor Bainbridge said that the State Fair Board has been consulted and supports these proposals. He said that he is not familiar with this particular area, but he understands how large events can impact the traffic flow, such as on the west side during races. He said that many of the Councillors are on the outside looking in, and they need to rely on the opinions of those who are on the inside of the issue all the time, such as the fair board.

Barbara Lawrence, director of the Department of Public Works, said that these proposals are the State Fair Board's preferences, and they want people to use the main entrance. Though it may be an inconvenience for some, the greater need is to provide a safe travel environment.

Councillor Borst said that with the enactment of these three ordinance, a southsider could not get into the fairgrounds. Ms. Lawrence said that individuals could come up to Keystone and 38th Streets. Councillor Borst said that no left hand turn is allowed on 38th and Keystone and during

the fair the main entrance is closed. Councillor Sanders said that southsiders could take Fall Creek Parkway to Evanston to 42nd Street near the deaf school to enter.

Councillor Coughenour moved, seconded by Councillor Borst, to return the proposals to Committee. Councillor Horseman asked if this motion will kill the proposal at the end of the year, since no proposals carry forward. Mr. Elrod said that this is correct.

Councillor Nytes said that she can understand the need for more discussion, and she is not opposed to returning the proposals to Committee for further review and re-introduction after the first of the year.

Proposal Nos. 687-689, 2003 were returned to Committee by a unanimous voice vote.

**SPECIAL SERVICE DISTRICT COUNCILS
POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

President Borst convened the Police Special Service District Council.

PROPOSAL NO. 667, 2003. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 667, 2003 on November 19, 2003. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves a transfer of \$78,000 in the 2003 Budget of the Department of Public Safety, Police Division (Police General Fund) to pay for additional supplies needed to support the Arrestee Processing Center operations. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President Borst called for public testimony at 9:14 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 667, 2003, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Coughenour

Proposal No. 667, 2003, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2003, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2003

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 2003 (Police Special Service District Fiscal Ordinance No. 3, 2002) transferring and appropriating an additional Seventy-eight Thousand Dollars (\$78,000) in the Police General Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations for that agency.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police

Division, to pay for additional supplies needed to support the Arrestee Processing Center (APC) operations, financed by a transfer of funds.

SECTION 2. The sum of Seventy-eight Thousand Dollars (\$78,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>POLICE GENERAL FUND</u>
2. Supplies	78,000
TOTAL INCREASE	78,000

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

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>POLICE GENERAL FUND</u>
3. Other Services and Charges	78,000
TOTAL DECREASE	78,000

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

**FIRE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

President Borst convened the Fire Special Service District Council.

PROPOSAL NO. 666, 2003. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 666, 2003 on November 19, 2003. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Talley, approves a transfer of \$331,000 and an increase of \$383,000 in the 2003 Budget of the Department of Public Safety, Fire Division (Fire General Fund) to cover the unbudgeted portion of the sworn firefighter contractual pay increase as well as overtime expenses, financed by a transfer and fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 9:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 666, 2003 was adopted on the following roll call vote; viz:

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

Proposal No. 666, 2003 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 10, 2003, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 10, 2003

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Fire Special Service District Annual Budget for 2003 (Fire Special Service District Fiscal Ordinance No. 4, 2002) transferring and appropriating an additional Seven Hundred Fourteen Thousand Dollars (\$714,000) in the Fire General Fund for purposes of the Department of Public Safety, Fire Division, and reducing certain other appropriations for that agency and reducing the unappropriated and unencumbered balance in the Fire General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Fire Special Service District Annual Budget for 2003 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to cover the unbudgeted portion of the sworn firefighter contractual pay increase as well as overtime expenses, financed by a transfer of funds and fund balance.

SECTION 2. The sum of Seven Hundred Fourteen Thousand Dollars (\$714,000) be, and the same is hereby appropriated and transferred for the purposes as shown in Section 3 by reducing the accounts and the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FIRE GENERAL FUND</u>
<u>FIRE DIVISION</u>	
1. Personal Services	<u>714,000</u>
TOTAL INCREASE	714,000

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

	<u>FIRE GENERAL FUND</u>
Unappropriated and Unencumbered	
Fire General Fund	<u>383,000</u>
TOTAL REDUCTION	383,000

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FIRE GENERAL FUND</u>
<u>FIRE DIVISION</u>	
3. Other Services and Charges	79,000
4. Capital Outlay	<u>252,000</u>
TOTAL DECREASE	331,000

SECTION 5. The projected December 31, 2003, fund balance for the Fire General Fund is as follows:

Cash balance as of June 30, 2003	13,240,148
Estimated revenues June through December, 2003	<u>23,585,727</u>
Projected funds available	36,825,875
2003 remaining appropriations, including all encumbrances	29,290,682
Proposed additional appropriation (Proposal No. 666, 2003)	<u>383,000</u>
Total Requirements	29,673,682
Projected fund balance December 31, 2003	7,152,193

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

President Borst reconvened the City-County Council.

NEW BUSINESS

Councillor Massie gave a brief report from the Special Inquiry Committee regarding the Water Company. He said that before the end of the year, the committee will provide a written report, but one hearing still has yet to be heard. He said that the committee dealt with finding fact and not simply eliciting unending opinions. He said that no resolution was made on the first question of whether or not the commitment to employees regarding benefits was upheld fairly following the transition. The second question of whether the fees paid to consultants were fair and in the interests of ratepayers was more troublesome because of lawsuits pending and privilege issues. He said that there cannot really be much resolution on this question until the lawsuits are settled and unredacted documents are available. The third question regarding a purchase price comparison has not yet had a full hearing, and any findings on this question will be included in the final written report. He said that there was really no consensus on opinion, and the committee

resolved that each committee member will submit a written report to the President and each member of the Council for their review. He said that Councillor Bradford's passion brought about this inquiry and the forming of this historic committee. He said that there was a lot of frustration with the complexity of privilege and pending lawsuits, but he thinks this body has found a good tool to get information to the public on issues such as these. He thanked Councillors Bradford and Short for their dedication and patience.

Councillor Massie added that the Rules and Public Policy Committee scheduled for tomorrow evening has been cancelled due to lack of a quorum and will be rescheduled for the following week.

President Borst wished all Councillors a Merry Christmas and Happy New Year, and thanked them for another year of service.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillors Dowden, Coughenour, and Borst in memory of George E. Schmid; and
- (2) Councillor Langsford in memory of Helen Zullo; and
- (3) Councillor Moriarty Adams in memory of Norma Arney, Mary Margaret Burke, and Mary Jo Keegan; and
- (4) Councillor Knox in memory of Leonard "Bud" Milum; and
- (5) Councillor Gray in memory of James Ray, Ellen Tanner, and Robert Kent; and
- (6) Councillor Brents in memory of Anna L. Bass.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of George E. Schmid, Helen Zullo, Norma Arney, Mary Margaret Burke, Mary Jo Keegan, Leonard "Bud" Milum, James Ray, Ellen Tanner, Robert Kent, and Anna L. Bass. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:27 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 8th day of December, 2003.

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

Philip C. Booth DVM

President

ATTEST:

Shelley Hart

Clerk of the Council

(SEAL)