

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

**REGULAR MEETINGS
MONDAY, MAY 20, 2002**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:11 p.m. on Monday, May 20, 2002, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Short thanked Community Centers of Indianapolis for hosting a dinner for Councillors previous to this evening's meeting and acknowledged all that they do for the City of Indianapolis. Councillor Massie wished his son, Sergeant Matt Massie, a safe seven months in South America on a mission with the Marine Corps. Councillor Coonrod recognized former Deputy Mayor Joe Slash. President SerVaas welcomed former Indianapolis Mayor Charles Boswell.

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, May 20, 2002, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

April 30, 2002

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, May 3, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 152, 188-191, and 210, 2002, said hearing to be held on Monday, May 20, 2002, at 7:00 p.m. in the City-County Building.

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

May 9, 2002

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 29, 2002 - approves an increase of \$19,600 in the 2002 Budgets of the County Auditor and the Cooperative Extension Service (County Grants Fund) to fund Character Education at after-school sites within the Indianapolis Public School system, funded by a grant from the Indianapolis Board of School Commissioners

FISCAL ORDINANCE NO. 30, 2002 - approves an increase of \$6,335,789 in the 2002 Budget of the Department of Metropolitan Development (State Grants, Federal Grants, Consolidated County, Redevelopment District Capital Projects, and Redevelopment Funds) for administering state and federal grants which provide affordable and supportive housing opportunities, community development, brownfield assessment and remediation, and economic development initiatives, financed by state and federal grants and fund balances

FISCAL ORDINANCE NO. 31, 2002 - approves an increase of \$17,345 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) for construction of a fence around the proposed exercise area at the animal shelter, financed by private donations

FISCAL ORDINANCE NO. 32, 2002 - approves an increase of \$23,521 in the 2002 Budget of the County Auditor and the Marion County Justice Agency (State and Federal Grants Fund) to continue the Arrestee Drug Monitoring Program (ADAM), funded by a federal grant

FISCAL ORDINANCE NO. 33, 2002 - approves an increase of \$21,500 in the 2002 Budget of the Marion County Justice Agency (Law Enforcement Fund) to purchase computer equipment for the County Sheriff, financed by fund balances

FISCAL ORDINANCE NO. 34, 2002 - approves an increase of \$84,000 in the 2002 Budget of the Department of Public Works, Policy and Planning Division (Storm Water Management Fund) to provide public and media relations consulting services for the Stormwater Management program, and to facilitate effective and timely communication with the non-residential property owners about the drainage program and the upcoming stormwater utility bills, financed by fund balances

FISCAL ORDINANCE NO. 35, 2002 - approves an appropriation of \$8,320,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Sanitation Liquid Waste Fund) for Real Time Control early action combined sewer overflow (CSO) projects, financed by fund balances

FISCAL ORDINANCE NO. 36, 2002 - approves an appropriation of \$232,891 in the 2002 Budget of the Department of Public Works, Engineering Division (Federal Grants Fund) to further pollution control efforts on the West Fork of the White River, Fall Creek, and Pleasant Run, financed by federal funds

FISCAL ORDINANCE NO. 37, 2002 - approves an appropriation of \$2,500,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Solid Waste Disposal Fund) to restore the stream bank along the White River near the former Tibbs Avenue and Banta Road landfill, financed by fund balances

FISCAL ORDINANCE NO. 38, 2002 - approves a transfer of \$60,000 in the 2002 Budget of the Department of Public Works, Policy and Planning Division (Sanitation Liquid Waste Fund) to purchase hardware associated with a network upgrade to the Belmont facility

FISCAL ORDINANCE NO. 39, 2002 - approves a transfer of \$135,000 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to pay salaries and benefits of five new staff positions who will perform various functions which are currently being done at the city's animal shelter by the Indianapolis Humane Society

GENERAL ORDINANCE NO. 43, 2002 - amends the Revised Code concerning Chapter 591, Fire Prevention and Protection

GENERAL ORDINANCE NO. 44, 2002 - authorizes a traffic signal at 56th Street and Lee Road (District 5)

GENERAL ORDINANCE NO. 45, 2002 - authorizes a traffic signal at 59th Street and Lee Road (District 5)

GENERAL ORDINANCE NO. 46, 2002 - authorizes intersection controls at Whitty Lane at 14th Street and at 16th Street (District 12)

GENERAL ORDINANCE NO. 47, 2002 - authorizes intersection controls at Coburn Avenue and Coil Street (District 10)

GENERAL ORDINANCE NO. 48, 2002 - authorizes multi-way stops at various intersections located in the Royal Pines Estates (District 3)

GENERAL ORDINANCE NO. 49, 2002 - authorizes parking restrictions on Surrey Drive from Coach Road to Shelby Street (District 20)

GENERAL ORDINANCE NO. 50, 2002 - authorizes parking restrictions on Everett Street from Harding Street to White River Parkway W. Drive, and authorizes a change in one-way restrictions on Everett Street (District 17)

GENERAL ORDINANCE NO. 51, 2002 - authorizes parking restrictions on various streets intersecting with Michigan Street (Districts 13, 15, 22)

GENERAL ORDINANCE NO. 52, 2002 - authorizes parking restrictions on various streets intersecting with Washington Street (Districts 13, 15, 21, 22)

GENERAL ORDINANCE NO. 53, 2002 - authorizes a change in the one-way restrictions on 14th Street between Pennsylvania Street and Delaware Street (District 22)

GENERAL ORDINANCE NO. 54, 2002 - authorizes a weight limit restriction on Marlin Road between Senour Road and Carroll Road (District 23)

GENERAL ORDINANCE NO. 55, 2002 - authorizes a multi-way stop at Hillside Avenue and 57th Street (District 7)

SPECIAL ORDINANCE NO. 2, 2002 - an inducement resolution for Tara Apartments in an amount not to exceed \$9,000,000 which consists of the rehabilitation of a 228-unit, pre-existing apartment complex on an approximately 11.535 acre parcel of real estate located at 3287 East Tara Court (District 8)

SPECIAL RESOLUTION NO. 27, 2002 - recognizes Fiesta Indianapolis' Cinco de Mayo community celebration on May 5

SPECIAL RESOLUTION NO. 28, 2002 - recognizes world champion powerlifter Michelle Amsden

SPECIAL RESOLUTION NO. 29, 2002 - recognizes Workers Memorial Day that was celebrated April 28, 2002

SPECIAL RESOLUTION NO. 30, 2002 - recognizes the Honorable Bishop S. C. Madison of the United House of Prayer For All People

SPECIAL RESOLUTION NO. 32, 2002 - recognizes the 15th Anniversary of the Greek Islands Restaurant

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of April 29, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 247, 2002. The proposal, sponsored by Councillors Horseman, Boyd, and SerVaas, welcomes Mexican Consul, Honorable Sergio Aquilera, to Indianapolis. Councillor Horseman read the proposal and presented Mr. Aquilera with a copy of the document and a Council pin. President SerVaas and Councillors Boyd and Borst welcomed Mr. Aquilera to the City. Mr. Aquilera thanked the Council for the welcome and stated that he is looking forward to many cultural and educational exchanges. Councillor Horseman moved, seconded by Councillor Boyd, for adoption. Proposal No. 247, 2002 was adopted by a unanimous voice vote.

Proposal No. 247, 2002 was retitled SPECIAL RESOLUTION NO. 31, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2002

A SPECIAL RESOLUTION welcoming Mexican Consul, Honorable Sergio Aquilera, to Indianapolis.

WHEREAS, the Republic of Mexico's first Consulate office in Indianapolis is set to open soon in space provided in Union Station; and

WHEREAS, the first ever Mexican Consul in Indianapolis is Honorable Sergio Aguilera, who previously served as Mexican Consul General in Shanghai, People's Republic of China; and

WHEREAS, the new office will be a direct link for local companies doing business with Mexico, will be a local source for passports and visas instead of having to travel to Chicago, and will offer Mexican governmental services for the fast growing Mexican population in Central Indiana; and

WHEREAS, the Honorable Aquilera wants to focus upon the strong already existing trade relations between Indiana and Mexico, and also wishes to integrate the arts, sports and cuisine between the two neighbors; and

WHEREAS, the new consulate office will serve Indiana, Ohio and Kentucky; now, therefore:

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

SECTION 1. The Indianapolis City-County Council welcomes Indianapolis' first Republic of Mexico Consulate Office and Consul Honorable Sergio Aquilera to Indianapolis.

SECTION 2. May his assignment here be both enjoyable and productive.

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. 248, 2002. The proposal, sponsored by Councillors Tilford and Langsford, recognizes the Warren Pride Cleanup Day when 1,265 people removed over 15 tons of trash. Councillor Tilford read the proposal and presented representatives with copies of the document and Council pins. John Sweezy, Warren Township Development Association president, and Ruth Ann Walker, neighborhood organizer of the event, thanked the Council for the recognition and recognized groups that supported this initiative: Girl Scouts, CVS Pharmacy, Target, Precision Propellers, Sam's Club, and Image Media. Councillor Tilford moved, seconded by Councillor Langsford, for adoption. Proposal No. 248, 2002 was adopted by a unanimous voice vote.

Proposal No. 248, 2002 was retitled SPECIAL RESOLUTION NO. 33, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 2002

A SPECIAL RESOLUTION recognizing the Warren Township Pride Cleanup Day when 1,265 people removed over 15 tons of trash.

WHEREAS, two years ago the Warren Township Development Association was told that the general cleanliness of an area is an important ingredient for economic development; and

WHEREAS, in five weeks they organized a Warren Pride Spring Cleanup that bagged five tons of trash; and

WHEREAS, this year with more time to plan and to get the word out, 1,265 citizens participated and over 15 tons of trash was picked up on Saturday, April 13th; and

WHEREAS, people from age two to 85 in Warren Township, Irvington and Cumberland jointly rolled up their sleeves and went to work in a unified effort; and

WHEREAS, township officials, Warren Schools, firefighters, businesses, scouts, and mostly just plain citizens all volunteered to help make the East side into a junk and debris-free zone; and

WHEREAS, Small Claims Court Judge Lori Kyle Endris found a bag of illegal drugs along the side of a road, and Girl Scout Troops 1582 and 496 found a bag containing four stolen wallets with credit cards that were all turned over to the participating Marion County Sheriff's Deputies; 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 applauds the hundreds of Warren Township residents who gave up a part of a Saturday to show their Warren Pride.

SECTION 2. This home grown grass roots cleanup initiative by the Warren Township Development Association serves as a source of pride to the people of Warren Township, and as an inspiration for local neighborhood organizations and other individuals and groups to help make where they live and work a little more clean, attractive, and a safer place.

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. 235, 2002. The proposal, sponsored by Councillors Short, Nytes, and Black, recognizes the April 27, 2002, Rebuilding Together Indianapolis housing revitalization blitz. Councillor Short read the proposal and presented representatives with copies of the document and

Council pins. Bill Freeman, Charles C. Brandt company representative and organizer of the event, thanked the Council for the recognition. Councillors Nytes and Black thanked all of those involved for their hard work and for making a difference. Councillor Short moved, seconded by Councillor Black, for adoption. Proposal No. 235, 2002 was adopted by a unanimous voice vote.

Proposal No. 235, 2002 was retitled SPECIAL RESOLUTION NO. 34, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 2002

A SPECIAL RESOLUTION recognizing the April 27, 2002, Rebuilding Together Indianapolis housing revitalization blitz.

WHEREAS, Rebuilding Together USA began in April, 1973, in Midland, Texas, when some volunteers decided to repair some deteriorated homes of low income residents in that city; and

WHEREAS, the concept took root and now local Rebuilding Together organizations are established across America, including Indianapolis, which rehabbed 19 homes in one day last year; and

WHEREAS, Rebuilding Together USA takes its inspiration from old fashioned barn raisings, when an amazing number of skilled and unskilled volunteers converged at one place to do a massive amount of work in a very short time; and

WHEREAS, at 7:30 a.m. on the morning of Saturday, April 27th, more than 700 volunteers converged upon a neighborhood in Mapleton-Fall Creek to repair 22 homes in a one-day rehabilitation blitz; 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 third annual Rebuilding Together Indianapolis neighborhood rehabilitation organization and volunteers.

SECTION 2. The Council commends the main corporate sponsors: Indiana Union Construction Industry, Inland Paperboard and Packaging, Inc., and Huntington Banks, along with a number of other private, public, and nor-for-profit sponsors and contributors for their time and money to help improve the lives of several Indianapolis residents on April 27, 2002.

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. 249, 2002. The proposal, sponsored by Councillors Horseman, Sanders, Conley, and Gibson, recognizes the June 21-22, 2002, African Unity Festival which is organized by African Community International, Inc. Councillor Horseman read the proposal and presented representatives with copies of the document and Council pins. Councillor Conley encouraged the public and Council members to attend the Festival. Shola Ajobye, African Community International, Inc., thanked the Council for the recognition. Councillor Horseman moved, seconded by Councillor Sanders, for adoption. Proposal No. 249, 2002 was adopted by a unanimous voice vote.

Proposal No. 249, 2002 was retitled SPECIAL RESOLUTION NO. 35, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 2002

A SPECIAL RESOLUTION recognizing the June 21-22, 2002, African Unity Festival which is organized by African Community International, Inc.

WHEREAS, on June 21-22, in the Exposition Hall at the Indiana State Fairgrounds, an estimated 8,000 people will taste the best of African and soul foods, shop, listen to the rhythm of 50 drummers, watch art workshops, interact with both business and personal networks, and watch children have their pictures taken with an African "king"; and

WHEREAS, the action-packed two days of the African Unity Festival is conducted by the local African Community International, Inc. whose mission of the Festival is to create a platform for Africans and African-Americans to come together for understanding and share together in unity and stretch hands of love to others; and

WHEREAS, this year's Festival theme is: *Let's come together to reconnect the circle. May the circle be unbroken*; and

WHEREAS, the Festival helps fulfill one of the missions of the sponsoring organization by broadening the availability and appreciation of Africa, and give non-Africans the opportunity to experience the excellence, diversity and vitality of Africa, her people, resources and potentials; 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 African Unity Festival sponsored by African Community International, Inc.

SECTION 2. Indianapolis has become a city of people with a wide array of diverse backgrounds, and African Unity Festival is a showcase event for one of those rich heritages.

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. 250, 2002. The proposal, sponsored by Councillors Coughenour and Smith, recognizes the Beech Grove Police Department for earning Accreditation status by the Commission on Accreditation for Law Enforcement Agencies. Councillor Coughenour read the proposal and presented representatives with copies of the document and Council pins. Councillor Coughenour moved, seconded by Councillor Borst, for adoption. Proposal No. 250, 2002 was adopted by a unanimous voice vote.

Proposal No. 250, 2002 was retitled SPECIAL RESOLUTION NO. 36, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 2002

A SPECIAL RESOLUTION recognizing the Beech Grove Police Department for earning Accreditation status by the Commission on Accreditation for Law Enforcement Agencies.

WHEREAS, the private nonprofit Commission on Accreditation for Law Enforcement Agencies was established as an accrediting body in 1979 by the four major law enforcement membership associations: The International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum; and

WHEREAS, the overall purpose of the Commission's accreditation program is to improve delivery of law enforcement service by offering a body of standards developed by law enforcement practitioners that cover a wide range of modern law enforcement topics; and

WHEREAS, the Accreditation process involves a manual of 443 standards and five days of on-site inspections by a team of three outside assessors; and

WHEREAS, in late March, the 39 member Beech Grove Police Department was awarded their Reaccreditation status by the Commission, thus being in the company of only 11 other law enforcement agencies in the state; 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 Beech Grove Police Department for earning its Accreditation with the Commission on Accreditation for Law Enforcement Agencies.

SECTION 2. The certification is not without some introspection pain, but everyone knows that the process and the end product makes for a better, more professional, police department; and the Beech Grove citizens receive a better return on their public safety investment.

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. 251, 2002. The proposal, sponsored by Councillors Langsford, Gray, and Horseman, recognizes Captain Dudley Taylor of the Indianapolis Fire Department for his initiative in promoting cryogenic technology with fire truck brakes. Councillor Langsford read the proposal and presented Captain Taylor with a copy of the document and a Council pin. Captain Taylor thanked the Council for the recognition. Indianapolis Fire Department Chief Louis Dezelan congratulated Captain Taylor on such an innovative idea and bringing recognition to the City.

Councillor Boyd asked where remuneration goes when a person under City employ makes such a discovery. President SerVaas said that there is a very long and expensive process of applying for a patent that would determine where this remuneration goes. Councillor Talley said that if the person makes the discovery on City time using City resources, the City would receive the remuneration.

Councillor Langsford moved, seconded by Councillor Gray, for adoption. Proposal No. 251, 2002 was adopted by a unanimous voice vote.

Proposal No. 251, 2002 was retitled SPECIAL RESOLUTION NO. 37, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 2002

A SPECIAL RESOLUTION recognizing Captain Dudley Taylor of the Indianapolis Fire Department for his initiative in promoting cryogenic technology with fire truck brakes.

WHEREAS, borrowing a concept from race cars, the Indianapolis Fire Department's liaison with Fleet Services, Captain Dudley Taylor, has studied and pushed for a process that makes brakes last longer; and

WHEREAS, cryogenics uses liquid nitrogen to freeze metal to minus 300 degrees for several hours which hardens the metal, in this case vehicle brakes, thus lengthening the life of the brakes; and

WHEREAS, Captain Taylor calculated that if all of Indianapolis Fire Department's 60 fire trucks had these long lasting brakes the department could save \$200,000 a year in maintenance, and he persuaded the Department to test the idea on Engine 24; and

WHEREAS, the test was a success, and all of the city's pumpers will be running on cryogenic hardened brakes within two years, an article on this cost savings strategy will appear in the fire service trade magazine "Fire Engineering", and the city is looking into cryogenic treatment for other large trucks in Indianapolis' fleet; now, therefore:

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

May 20, 2002

SECTION 1. The Indianapolis City-County Council recognizes and congratulates IFD Captain Dudley Taylor for his initiative in transferring cryogenic technology from the auto racing industry to "everyday" use in fire engines.

SECTION 2. Such initiative by Captain Taylor reflects great credit upon the city and county public workers, the city fire department, and upon himself.

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. 252, 2002. The proposal, sponsored by Councillor Bradford, recognizes the Indiana School for the Blind Sidewalk Project. Councillor Bradford read the proposal and presented representatives with copies of the document and Council pins. Jack Bulger, Jack Bulger & Associates; Michael Schaefer, Indianapolis Jaycees; David Silver, then-president of the Board of Public Safety; and then-Mayor Charles Boswell thanked the Council for the recognition. Councillor Bradford moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 252, 2002 was adopted by a unanimous voice vote.

Proposal No. 252, 2002 was retitled SPECIAL RESOLUTION NO. 38, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 2002

A SPECIAL RESOLUTION recognizing the Indiana School for the Blind Sidewalk Project.

WHEREAS, in 1960, there were 170 residents of the Indiana School for the Blind at 7725 North College Avenue, and there was no sidewalk from 75th Street to 71st Street to connect the school students and staff to Broad Ripple Village ; and

WHEREAS, by opening a safer route to Broad Ripple instead of walking along the hazardous berm, students could use the proposed sidewalk to train in cane travel and orientation to help them develop the skills they would need in life applications; and

WHEREAS, Broad Ripple then, as today, was a very busy hub of activity for shopping, eateries and other events; and

WHEREAS, local government refused to fund the project in September, 1960; and

WHEREAS, with public pressure organized by the Indianapolis Jaycees and area residents including the Town of Meridian Hills, the County Commissioners and others, the Marion County Council reheard public testimony in October and changed their position by voting unanimously in favor of the \$7,000 sidewalk project; and

WHEREAS, according to the Indiana School for the Blind, since that time, 3,500-4,000 students have learned to walk from the school to Broad Ripple Village and back after visiting shops, banks and other businesses, whereby before the sidewalks in 1960, only a select few could navigate the berm of College Avenue, 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 local Blind School Sidewalk Project campaign spearheaded by the Indianapolis Jaycees 42 years ago.

SECTION 2. Leading the effort in 1960 were Jaycees Michael G. Schaefer, now semi-retired from the Mitcheum Schaefer Corp., and Jack Bulger, now semi-retired from Jack Bulger & Associates; along with then-Indianapolis Mayor Charles H. Boswell, who is now retired; and Dr. David M. Silver, who was President of the Board of Public Safety at that time, and who is now retired.

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

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

President SerVaas passed the gavel to Vice President Borst. Vice President Borst reported that Proposal Nos. 174, 175, and 194, 2002 are all board or position appointments which passed unanimously out of their respective committees. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 174, 2002. The proposal, sponsored by Councillor Coonrod, reappoints William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees. PROPOSAL NO. 175, 2002. The proposal, sponsored by Councillor Cockrum, appoints Dale Thornberry to the Board of Parks and Recreation. PROPOSAL NO. 194, 2002. The proposal, sponsored by Councillor Nytes, approves the Mayor's appointment of Brent A. Auberry as hearing officer. By unanimous votes, the Committees reported Proposal Nos. 174 and 194, 2002 to the Council with the recommendation that they do pass and Proposal No. 175, 2002 to the Council with the recommendation that it do pass as amended. Councillor McWhirter moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 174 and 194, 2002 and Proposal No. 175, 2002, as amended, were adopted by a unanimous voice vote.

Proposal No. 174, 2002 was retitled COUNCIL RESOLUTION NO. 62, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2002

A COUNCIL RESOLUTION reappointing William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees.

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

SECTION 1. As a member of the Indianapolis-Marion County Building Authority Board of Trustees, the Council reappoints:

William R. Wayman

SECTION 2. The appointment made by this resolution is for a term ending June 3, 2006. 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. 175, 2002, as amended, was retitled COUNCIL RESOLUTION NO. 63, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2002

A COUNCIL RESOLUTION appointing Dale Thornberry to the Board of Parks and Recreation.

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

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Dale Thornberry

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

Proposal No. 194, 2002 was retitled COUNCIL RESOLUTION NO. 64, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2002

A COUNCIL RESOLUTION approving the Mayor's appointment of Brent A. Auberry as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Brent A. Auberry to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

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

SECTION 1. Brent A. Auberry is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

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

Vice-President Borst returned the gavel to President SerVaas.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 237, 2002. Introduced by Councillors McWhirter and Boyd. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$54,000 in the 2002 Budget of the Office of Corporation Counsel (Consolidated County Fund) to add a staff attorney to provide legal representation to the Department of Waterworks as well as the Board of Waterworks, to be financed by revenues from the Department of Waterworks"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 238, 2002. Introduced by Councillors Langsford, Boyd, Nytes, and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$74,514 in the 2002 Budget of the Office of Corporation Counsel (Federal Grants Fund) to fund a Community Prosecutor and Paralegal to work in partnership with law enforcement and community groups on a full-time basis in order to enhance coordination between the City Prosecutor's Office, law enforcement and the community in addressing public safety and quality of life issues, financed by a federal grant"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 239, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,000 in the 2002 Budget of the County Sheriff (County Grants Fund) to purchase a laptop computer, data projector, and two portable projection screens, funded by a grant from the Target Corporation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 240, 2002. Introduced by Councillors Dowden and Soards. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$6,000 in the 2002 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to fund a Protective Order Intake Clerk for the period from 04/01/02 through 06/30/02, financed by a grant from the

Indiana Criminal Justice Institute”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 241, 2002. Introduced by Councillors Dowden and Soards. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 2002 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for contractual and consulting services for an Alternative Dispute Resolution, funded by a federal grant”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 242, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$4,000 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (County Grants Fund) to fund a summer youth program, funded by a grant from the Indianapolis Foundation”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 243, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: “A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of approximately 1.5 acres located at 1711 East 39th Street”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 244, 2002. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which reappoints Bernard O. Paul to the Air Pollution Control Board”; and the President referred it to the Public Works Committee.

PROPOSAL NO. 245, 2002. Introduced by Councillors Coonrod and Borst. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Ivan Wilson to the Common Construction Wage Committee for the City of Lawrence”; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 246, 2002. Introduced by Councillors Boyd, Horseman, Sanders, and Talley. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which amends the Revised Code relating to the citizens police complaint board”; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 227, 2002, PROPOSAL NO. 253, 2002, PROPOSAL NO. 254, 2002, and PROPOSAL NOS. 255-263, 2002. Introduced by Councillor Smith. Proposal No. 227, 2002, Proposal No. 253, 2002, Proposal No. 254, 2002, and Proposal Nos. 255-263, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 15, 2002. 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. 55-66, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 55, 2002.

2002-ZON-009

1610 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.

SF PROPERTIES 5, LLC., by Walter E. Wolf Jr., requests a rezoning of 0.56 acre, being in the C-2 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 56, 2002.

2001-ZON-168

9333 HAVER WAY (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3

KEY CENTER LLC., by Philip A. Nicely, requests a rezoning of 1.6 acres, being in the C-3, C-6, and C-S Districts, to the C-5 classification to provide for general commercial uses.

REZONING ORDINANCE NO. 57, 2002.

2002-ZON-016

2502-2506 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10

WAS/DKV requests a rezoning of 1.57 acres, being in the C-3 District, to the C-5 classification to provide for general commercial development.

REZONING ORDINANCE NO. 58, 2002.

2001-ZON-153

5309 EAST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

ROBERT J. WILSON, by Michael J. Kias, requests the rezoning of 20.336 acres, being in the D-A District, to the D-5II classification to provide for residential development.

REZONING ORDINANCE NO. 59, 2002.

2002-ZON-022

2025 WEST SOUTHPORT AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

INSIGHT ENGINEERING, INC. requests a rezoning of 3.758 acres, being in the C-4 (FF)(W-1), D-P (GSB)(FF)(W-1) and D-A (FF)(W-1) Districts, to the C-4 (FF)(W-1) classification to provide for a gasoline station/convenience store.

REZONING ORDINANCE NO. 60, 2002.

2002-ZON-024

1062 NORTH SHEFFIELD AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

CALDWELL AME ZION CHURCH, by Michael J. Kias, requests a rezoning of 0.38 acre, being in the D-5 (W-1) District, to the SU-1 (W-1) classification to provide for religious uses.

REZONING ORDINANCE NO. 61, 2002.

2002-ZON-025

2447 WEST 14TH STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16

FRIENDSHIP MISSIONARY BAPTIST CHURCH requests a rezoning of 2.913 acres, being in the D-5 (W-5) District, to the SU-7 (W-5) classification to provide for a daycare facility.

REZONING ORDINANCE NO. 62, 2002.

2002-ZON-028

9411, 9415, and 9423 PENDLETON PIKE and 9444 EAST 52ND STREET (approximate addresses), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

TIMOTHY L. and CATHY M. GOODPASTER, by Steven R. Hall, requests a rezoning of 0.67 acre, being in the D-A District, to the C-1 classification to provide for general office uses.

REZONING ORDINANCE NO. 63, 2002.

2002-ZON-031

5333 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.

ARCHDIOCESE OF INDIANAPOLIS. by David Kingen, requests a rezoning of 4.585 acres, being in the D-8 and D-5 Districts, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 64, 2002.

2002-ZON-033

1910 BELLEVIEW PLACE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 16
CHRISTWAY MISSIONARY BAPTIST CHURCH requests a rezoning of 0.74 acre, being in the D-5 (W-5) District, to the SU-1 (W-5) classification to provide for religious uses.

REZONING ORDINANCE NO. 65, 2002.

2002-ZON-038

1735 WEST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

L & W ENTERPRISES, INC. requests a rezoning of 4.6 acres, being in the DA (W-1) (FF) District, to the I-2-S (W-1) (FF) classification to provide for light industrial development.

REZONING ORDINANCE NO. 66, 2002.

2002-ZON-803

6006-6022 MADISON AVENUE (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

FAMILY VIDEO MOVIE-CLUB, INC., by Joseph D. Calderon, requests a rezoning of 1.35 acres, being in the D-3, C-1, and C-S Districts, to the C-3 classification to provide for neighborhood commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 152, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 152, 2002 on April 10, 2002. On April 29, 2002, the Council returned the proposal to Committee, where it was heard again on May 1, 2002. The proposal, sponsored by Councillors Dowden, Moriarty Adams, and Soards, approves an appropriation of \$85,899 in the 2002 Budget of the Department of Public Safety, Emergency Management Planning Division (Consolidated County Fund) to add one Deputy Administrator and one Senior Coordinator, along with some associated operating costs, financed by fund balances and partial reimbursement from the State Emergency Management Agency. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President SerVaas called for public testimony at 8:32 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Soards, for adoption. Proposal No. 152, 2002, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Gibson

Proposal No. 152, 2002, as amended, was retitled FISCAL ORDINANCE NO. 40, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating Eighty-five Thousand Eight Hundred Ninety-nine Dollars (\$85,899) in the Consolidated County Fund for purposes of the Department of Public Safety, Emergency Management Planning Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2002 be, and is hereby, amended

by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management Planning Division, to add one Deputy Administrator and one Senior Coordinator along with some associated support costs.

SECTION 2. The sum of Eighty-five Thousand Eight Hundred Ninety-nine Dollars (\$85,899) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT PLANNING DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	73,149
2. Materials and Supplies	1,950
3. Other Services and Charges	5,100
4. Capital Outlay	4,000
5. Internal Charges	<u>1,700</u>
TOTAL INCREASE	85,899

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	85,899
TOTAL REDUCTION	85,899

SECTION 5. Section 5.02(b) of City-County Fiscal Ordinance No. 105, 2000, as amended by City-County Fiscal Ordinance No. 49, 2001, be and is hereby further amended to increase the number of authorized employees for the Department of Public Safety, Division Emergency Management Planning, from four (4) to six (6) F.T.E.'s for the calendar year 2002 if the Mayor reduces one (1) F.T.E. in other city departments or divisions.

SECTION 6. Fifty percent (50%) of the salaries approved in this ordinance will be reimbursed by the State Emergency Management Agency. 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 and the city controller are directed to notify in writing the city-county council immediately upon receipt of any information that state funding 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. 188, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee postponed Proposal No. 188, 2002 on May 1, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$220,240 in the 2002 Budgets of the County Auditor and the Marion County Public Defender Agency (State and Federal Grants Fund) to fund advocate alternative sentencing options and a Mental Health Coordinator, funded by a grant from the Indiana Criminal Justice Institute (Local match of \$73,413 is funded by the following existing appropriations: \$60,042 in the Marion County Public Defender Agency General Fund budget and \$13,371 from an outside agency [Midtown Mental Health].). Councillor Dowden moved, seconded by Councillor Talley, to postpone Proposal No. 188, 2002 until June 3, 2002. Proposal No. 188, 2002 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee tabled Proposal Nos. 189 and 191, 2002 on May 1, 2002.

PROPOSAL NO. 189, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$35,000 in the 2002 Budget of the County Sheriff (State and Federal Grants Fund) to appropriate a pass-through grant from the Indiana Criminal Justice Institute for the Destiny Delinquency Prevention and Music Therapy Program. PROPOSAL NO. 191, 2002. The

proposal, sponsored by Councillor Dowden, approves an increase of \$57,806 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate a state grant for the Kindermusik Family Re-Integration Project. Councillor Dowden moved, seconded by Councillor Borst, to table Proposal Nos. 189 and 191, 2002. Proposal Nos. 189 and 191, 2002 were tabled by a unanimous voice vote.

PROPOSAL NO. 190, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 190, 2002 on May 1, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$202,462 in the 2002 Budget of the County Sheriff (State and Federal Grants Fund) for the reimbursement of prior expenses related to housing illegal aliens by the State Criminal Alien Assistance Program, funded by a grant from the Bureau of Justice Assistance. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:34 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 190, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 190, 2002 was retitled FISCAL ORDINANCE NO. 41, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97 2001) appropriating an additional Two Hundred Two Thousand Four Hundred Sixty-two Dollars (\$202,462) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2 of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to assist the county in it's efforts to recover additional Federal dollars that are due the County. This appropriation will be used to reimburse the Sheriff for prior expenses related to housing illegal aliens by the State Criminal Alien Assistance Program.

SECTION 2. The sum of Two Hundred Two Thousand Four Hundred Sixty-two Dollars (\$202,462) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	202,462
TOTAL INCREASE	202,462

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	202,462
TOTAL REDUCTION	202,462

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. 210, 2002. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 210, 2002 on May 2, 2002. The proposal, sponsored by Councillors Cockrum and Douglas, approves appropriations in the 2002 Budget of the Department of Parks and Recreation: an increase of \$229,877 (Federal Grants Fund) to continue the after-school programs for the 2001-2002 school year at Forest Manor School and School 108, financed by a federal grant (US Department of Education); and a transfer of \$60,240 (Park General Fund) to provide additional monitoring of wells at the Pleasant Run and Sarah Shank golf courses. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas called for public testimony at 8:37 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Massie, for adoption. Proposal No. 210, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Talley

Proposal No. 210, 2002 was retitled FISCAL ORDINANCE NO. 42, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) transferring and appropriating Two Hundred Ninety Thousand One Hundred Seventeen Dollars (\$290,117) in the Federal Grants Fund and the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grants Fund and reducing certain other appropriations in the Park General Fund for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (1) of the City-County Annual Budget for 2001 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to continue the after-school programs for the 2001-2002 school year at Forest Manor School and School 108 and to provide additional monitoring of wells at the Pleasant Run and Sarah Shank golf courses.

SECTION 2. The sum of Two Hundred Ninety Thousand One Hundred Seventeen Dollars (\$290,117) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances and by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	60,240
2. Materials and Supplies	18,941
3. Other Services and Charges	147,783
4. Capital Outlay	2,913
TOTAL INCREASE	229,877

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	60,240
TOTAL INCREASE	60,240

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	229,877
TOTAL DECREASE	229,877

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	60,240
TOTAL DECREASE	60,240

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

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 211, 2002. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 211, 2002 on April 16, 2002. For want of statutory majority, the proposal failed in Council on April 29, 2002. The proposal, sponsored by Councillor Massie, establishes the rules for redistricting hearings. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Short made the following motion:

Mr. President,

I move to amend Proposal No. 211, 2002 by amending Section 1, Rule 2, by adding a new subsection (h), which reads:

(h) No redistricting plan or amendment to such plan shall be heard or considered by either the Committee on Rules and Public Policy or the full Council unless such plan or amendment shall have been made available for review by both Caucuses at least forty-eight (48) hours prior to the time and date on which the Committee or the Council considers the plan or amendment. This rule may be waived upon a two-thirds (2/3) vote of the Committee or the Council.

Councillor Gibson seconded the motion.

Councillor Massie said that as he said last meeting, when a similar amendment was raised, this body has often negotiated down to the last hour to find a suitable compromise. He believes that

this amendment limits flexibility in these types of negotiations. He said that he does not support the amendment.

Councillor Boyd said that this amendment's intent is not to limit flexibility in negotiations, but to insure that there will not be comprehensive twelfth hour plans that would replace what might have already been agreed on publicly.

Councillor Nytes and Councillor Gray encouraged Council members to support the amendment to retain the level of public awareness to the last hour.

Councillor Massie said that the schedule makes the process as public as possible and he is skeptical about the reasons for the amendment.

Councillor Short's motion to amend failed on the following roll call vote; viz:

14 YEAS: Black, Boyd, Brents, Conley, Douglas, Gibson, Gray, Horseman, Knox, Moriarty Adams, Nytes, Sanders, Short, Talley

15 NAYS: Bainbridge, Borst, Bradford, Cockrum, Coonrod, Coughenour, Dowden, Langsford, Massie, McWhirter, Schneider, SerVaas, Smith, Soards, Tilford

Councillor Short made the following motion:

Mr. President,

I move to amend Proposal No. 211, 2002 by amending Section 1, Rule 2, by adding a new subsection (h), which reads:

(h) Any redistricting plan containing proposed districts with a deviation from the ideal district size in excess of three percent (3%) must be accompanied by written comments justifying, with reference to objective criteria, the deviations from population equality. The term "ideal district size" refers to the population of Marion County divided by twenty-five (25). The term "deviation from the ideal district size" refers to the amount by which the population of any district is greater than or less than the ideal district size and is expressed as a percentage by dividing the difference between the actual and ideal district sizes by the ideal district size.

Councillor Gibson seconded the motion.

Councillor Massie asked if the plans or amendments referenced in this amendment refer to public or caucus plans. Councillor Short said that he was speaking specifically to caucus plans.

Councillor Massie said that he would like some time to review this amendment and confer with counsel before voting. He moved, seconded by Councillor Black, to table the amendment and the proposal until later in the meeting, to then be brought back up for discussion after other agenda business is finished. The motion to table Proposal No. 211, 2002 and Councillor Short's amendment carried by the following roll call vote; viz:

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

1 NAY: Talley

2 NOT VOTING: Coughenour, SerVaas

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 187, 2002. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 187, 2002 on May 14, 2002. The proposal, sponsored by Councillor Langsford, approves a transfer of \$12,000 in the 2002 Budget of the County Coroner (County General Fund) to provide funds for data cable expenditures for the building on McCarty Street. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McWhirter moved, seconded by Councillor Langsford, for adoption. Proposal No. 187, 2002 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Horseman, Massie, Nytes, Short

Proposal No. 187, 2002 was retitled FISCAL ORDINANCE NO. 43, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No.96, 2001) transferring and appropriating an additional Twelve Thousand Dollars (\$12,000) in the County General Fund for purposes of the County Coroner and reducing certain other appropriations for 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(d) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Coroner to provide funds for the expenditure of data cables in the new building on McCarty Street.

SECTION 2. The sum of Twelve Thousand Dollars (\$12,000) 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>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>12,000</u>
TOTAL INCREASE	12,000

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

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>12,000</u>
TOTAL DECREASE	12,000

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

PROPOSAL NO. 192, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 192, 2002 on May 1, 2002. The proposal, sponsored by Councillor Dowden, creates a clerk's cash change fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 192, 2002, as amended, was adopted on the following roll call vote; viz:

20 YEAS: *Bainbridge, Borst, Boyd, Bradford, Cockrum, Conley, Coonrod, Douglas, Dowden, Gibson, Knox, Langsford, McWhirter, Sanders, Schneider, SerVaas, Short, Smith, Soards, Tilford*

0 NAYS:

9 NOT VOTING: *Black, Brents, Coughenour, Gray, Horseman, Massie, Moriarty Adams, Nytes, Talley*

Proposal No. 192, 2002, as amended, was retitled GENERAL ORDINANCE NO. 56, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2002

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County to create a clerk's cash change fund.

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

SECTION 1. Chapter 135 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by the addition of a new Division 4 in Article VIII, to read as follows:

DIVISION 4. CLERK'S CASH CHANGE FUND

Sec. 135-841. Created.

Pursuant to IC 36-1-8-2, the council hereby establishes a cash change fund in the amount of Four-Thousand Dollars (\$4,000) to be placed in the custody of the Marion County Clerk or his or her designee. The cash change fund shall be used by the Marion County Clerk's Office to make change when collecting cash revenues.

Sec. 135-842. Administration.

The Four Thousand Dollars (\$4,000) for the Clerk's Cash Change Fund established under Sec. 135-841 shall be paid by a warrant drawn on the appropriate fund in favor of the Clerk without the need for an appropriation. The Clerk shall account for the fund in the same manner as other funds, and shall return the entire fund to the appropriate fund whenever there is a change in the custodian or when the fund is no longer needed.

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

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 195-201 and 203-209, 2002 on May 8, 2002. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 195, 2002. The proposal, sponsored by Councillor Schneider, authorizes a traffic signal for Harcourt Road and Katie Knox Drive (District 3). PROPOSAL NO. 196, 2002. The proposal, sponsored by Councillor Soards, authorizes intersection controls for Dandy Trail and Traders Cove Lane (District 1). PROPOSAL NO. 197, 2002. The proposal, sponsored by Councillor Soards, authorizes intersection controls for Dandy Trail and Cove Court (District 1). PROPOSAL NO. 198, 2002. The proposal, sponsored by Councillor Soards, authorizes intersection controls for Dandy Trail and Sailors Lane, and for Sailors Lane and Watersite Circle (District 1). PROPOSAL NO. 199, 2002. The proposal, sponsored by Councillor Gray, authorizes intersection controls at Downing Drive, Northgate Drive, and Sylvan Drive (District 9). PROPOSAL NO. 200, 2002. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Clayton Avenue and Gray Street (District 21). PROPOSAL NO. 201, 2002. The proposal, sponsored by Councillors Knox and Borst, authorizes a multi-way stop at Belmont Avenue and Minnesota Street (Districts 17, 25). PROPOSAL NO. 203, 2002. The proposal,

sponsored by Councillor Knox, authorizes parking restrictions on Mount Street from the first alley south of Washington Street to Washington Street (District 17). PROPOSAL NO. 204, 2002. The proposal, sponsored by Councillor Nytes, authorizes parking restrictions on Capitol Avenue near 20th Street (District 22). PROPOSAL NO. 205, 2002. The proposal, sponsored by Councillor Nytes, authorizes parking restrictions on Dorman Street and on New York Street (District 22). PROPOSAL NO. 206, 2002. The proposal, sponsored by Councillor Massie, authorizes parking restrictions on Bacon Street near Stanley Avenue to dead end (District 20). PROPOSAL NO. 207, 2002. The proposal, sponsored by Councillor Gray, authorizes parking restrictions on White River Parkway E. Drive between 30th Street and 38th Street (District 9). PROPOSAL NO. 208, 2002. The proposal, sponsored by Councillors Douglas and Nytes, authorizes a weight limit restriction on Ralston Avenue from 22nd Street to 25th Street (Districts 10, 22). PROPOSAL NO. 209, 2002. The proposal, sponsored by Councillor Brents, authorizes a weight limit restriction on Riverside Drive East, from 18th Street to 29th Street (District 16). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Coughenour moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 195-201 and 203-209, 2002 were adopted on the following roll call vote; viz:

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

Proposal No. 195, 2002 was retitled GENERAL ORDINANCE NO. 57, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2002

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>
3	Harcourt Rd Katie Knox Dr	Harcourt Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3	Harcourt Rd Katie Knox Dr	None	Signal

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

Proposal No. 196, 2002 was retitled GENERAL ORDINANCE NO. 58, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2002

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>
8	Dandy Trail Traders Cove Ln	Dandy Trail	Stop

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

Proposal No. 197, 2002 was retitled GENERAL ORDINANCE NO. 59, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2002

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>
8	Cove Ct Dandy Trail	Dandy Trail	Stop

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

Proposal No. 198, 2002 was retitled GENERAL ORDINANCE NO. 60, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 2002

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>
8	Dandy Trail Sailors Ln	Dandy Trail	Stop
8	Sailors Ln Watersite Cir	Watersite Cir	Yield

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

Proposal No. 199, 2002 was retitled GENERAL ORDINANCE NO. 61, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 2002

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>
10	Downing Dr 58 th St	58 th St	Yield
10	Downing Dr Northgate Dr	Northgate Dr	Yield
10	Northgate Dr Sylvan Dr	Northgate Dr	Stop
10	Sylvan Dr 58 th St	58 th 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. 200, 2002 was retitled GENERAL ORDINANCE NO. 62, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 2002

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>
26	Clayton Ave Gray St	Gray St	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Clayton Ave Gray St	None	All Way Stop

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

Proposal No. 201, 2002 was retitled GENERAL ORDINANCE NO. 63, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 2002

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Belmont Av Minnesota St	Belmont 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	Belmont Av Minnesota St	None	All Way Stop

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

Proposal No. 203, 2002 was retitled GENERAL ORDINANCE NO. 64, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 2002

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:

Mount Street, on the east side, from a point 195 feet south of Washington Street to Washington Street

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

Proposal No. 204, 2002 was retitled GENERAL ORDINANCE NO. 65, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 2002

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:

Capitol Avenue, on both sides, from Twentieth Street to a point 50 feet north of Twentieth Street

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

Proposal No. 205, 2002 was retitled GENERAL ORDINANCE NO. 66, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 2002

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:

Dorman Street, on the east side, from Marlowe Avenue to New York Street

New York Street, on the north side, from a point 145 feet east of Dickson Street to Dorman Street

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

Proposal No. 206, 2002 was retitled GENERAL ORDINANCE NO. 67, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 2002

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:

Bacon Street, on the north side, from a point 334 feet east of Stanley Avenue to dead-end

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-34-14.

Proposal No. 207, 2002 was retitled GENERAL ORDINANCE NO. 68, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 2002

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 deletion of the following, to wit:

White River Parkway E. Drive, on the west side, from 30th Street to a point 453 feet north of 30th 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:

White River Parkway E. Drive, on the west side, from 30th Street to 38th Street

White River Parkway E. Drive, on the east side, from River Shore Place to 38th Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-34-14.

Proposal No. 208, 2002 was retitled GENERAL ORDINANCE NO. 69, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 2002

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

10,000 POUNDS GROSS WEIGHT

Ralston Avenue, from Twenty-second Street to Twenty-fifth Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-34-14.

Proposal No. 209, 2002 was retitled GENERAL ORDINANCE NO. 70, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 2002

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

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

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

10,000 POUNDS GROSS WEIGHT

Riverside Drive East, from Eighteenth Street to Twenty-ninth Street

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

NEW BUSINESS

Councillor Boyd asked when Proposal No. 246, 2002, which was introduced this evening, will be heard in the Public Safety and Criminal Justice Committee. Councillor Dowden said that he has not had a chance to review the pending proposals and set an agenda for the next meeting, but will keep Councillor Boyd informed as to when it may be scheduled at an upcoming meeting.

Councillor Langsford said that during the Special Resolution recognizing the Warren Township Clean-up Day, one of the sponsors, Union Planters Bank, was not recognized, and he would like to mention them at this time.

UNFINISHED BUSINESS

Councillor Massie moved, seconded by Councillor Short, to bring Proposal No. 211, 2002 and its pending amendment off the table for further discussion. The motion carried by a unanimous voice vote.

PROPOSAL NO. 211, 2002. The proposal, sponsored by Councillor Massie, establishes the rules for redistricting hearings.

Councillor Massie said that he believes a compromise on the amendment has been reached and with the help of general counsel, and consent of Councillor Short, he asked to amend the amendment by replacing the first sentence in item (h) with the following:

(h) Any redistricting plan containing any proposed district that is greater than 103% or less than 97% of the ideal district size must be accompanied by written comments justifying, with reference to objective criteria, the deviations from population equality.

Councillor Short said that he has no problem with the clarification of his amendment, and he moved to amend Proposal No. 211, 2002 by incorporating Councillor Massie's first sentence into his original amendment, which would read as follows:

(h) Any redistricting plan containing any proposed district that is greater than 103% or less than 97% of the ideal district size must be accompanied by written comments justifying, with reference to objective criteria, the deviations from population equality. The term "ideal district size" refers to the population of Marion County divided by twenty-five (25). The term "deviation from the ideal district size" refers to the amount by which the population of any district is greater than or less than the ideal district size and is expressed as a percentage by dividing the difference between the actual and ideal district sizes by the ideal district size.

Councillor Massie seconded the motion, and Proposal No. 211, 2002 was amended by a unanimous voice vote.

Councillor Horseman asked if passage of this proposal this evening will still be conducive to the schedule set forth in the ordinance. Councillor Massie said that following passage this evening, he will issue a press release tomorrow and training sessions will be offered in the following week, and he hopes to keep the whole process on schedule. Councillor Horseman said that she will support the proposal with the proviso, that if there is some delay, the schedule will be modified to permit adequate public input. Councillor Massie said that he anticipates no further delay.

Councillor Massie moved, seconded by Councillor Dowden, for adoption. Proposal No. 211, 2002, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 211, 2002 was retitled COUNCIL RESOLUTION NO. 65, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 2002

A COUNCIL RESOLUTION establishing the rules for redistricting hearings.

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

SECTION 1. The following special rules for consideration of Council redistricting plans are hereby adopted:

COUNCIL REDISTRICTING RULES:

RULE 1. PUBLIC PARTICIPATION.

(a) The Committee on Rules and Public Policy shall hold at least two hearings during June and/or July, 2002, to hear testimony on any plans for defining Council district boundaries submitted by interested members of the public.

(b) Prior to the end of the period during which public plans are accepted, the General Counsel and the vendor contracted by the Council to provide for public participation shall conduct at least one seminar for the public regarding the redistricting process and the creation and submission of a plan for consideration by the Committee on Rules and Public Policy.

(c) The General Counsel shall be responsible to produce, with the assistance of the vendor, maps of the current districts to the nearest current precinct lines and population data based on 2000 census figures.

(d) Under the direction of the General Counsel, the vendor contracted by the Council shall provide an internet website that provides information concerning the redistricting process, the submission of redistricting plans by members of the public, a map of the County with current district lines and current precinct lines, a list of the population of Marion County precincts and important dates in the redistricting process.

(e) The General Counsel shall publish at least two notices in one or more papers of general circulation which set forth important dates in the redistricting process and the process by which members of the public can submit comments or proposed redistricting plans to the Committee on Rules and Public Policy.

(f) Only plans submitted by a registered voter in Marion County, Indiana, shall be considered by the Committee on Rules and Public Policy.

(g) Any plan offered by a member of the public must meet the following criteria in order to be considered by the Committee on Rules and Public Policy:

1. It must have been submitted in writing or electronically to the Clerk of the Council at the Council Office during regular business hours between May 19, 2002 and June 19, 2002;

2. The precincts contained in each proposed Council district shall be clearly written on the form provided;
3. Each public plan submitted must stand as a complete County-wide plan for districting, (i.e., all pieces of geography must be accounted for in some district); and
4. The plan must comply completely in all respects with the Redistricting Criteria set forth in Rule 3 of this Resolution¹ and with the instructions attached as Exhibit "A". Any total deviation in excess of 5% from population equality must be justified in writing with reference to objective criteria.

(h) In order to assist in the evaluation of proposed plans each individual submitting a proposed redistricting plan must complete the statistical sheet provided and list:

¹ As described in this Resolution, each plan will be evaluated for:

1. compactness,
 2. population deviation,
 3. respect for current precinct boundary lines,
 4. compliance with the requirements prohibiting discrimination,
 5. respect for communities of interest, and
 6. other relevant criteria.
1. the total population for each proposed district;
 2. the population deviation from the ideal for each district;
 3. verification that the individual submitting the proposed plan is registered to vote in Marion County; and
 4. the name, address and contact information of the individual submitting the proposed plan. (It is essential that contact information be provided as the General Counsel may need to contact members of the public submitting proposed plans if the hearing schedule changes or if it is anticipated that the plan submitted by the voter will not be considered at the first hearing of the Committee on Rules and Public Policy).

(i) A complete set of instructions for publicly submitted plans is set forth as Exhibit "A" to this Resolution and is specifically incorporated herein by reference. The Committee need not consider any plan that fails to comply with the instructions or fails to provide the foregoing information.

(j) The General Counsel shall be responsible to have all redistricting plans submitted to the Committee on Rules and Public Policy subjected to computer verification and statistical analysis prior to the final Committee hearing on the plans.

(k) The Committee on Rules and Public Policy will also receive public input from registered Marion County voters in the form of written comments and testimony regarding: (1) the effectiveness of current Council districts, (2) neighborhoods or other communities of interest that should be given consideration in the redistricting process, (3) any plan proposed by the public or (4) any aspect of the redistricting process. Any registered voter in Marion County desiring to make written comments to the Committee on Rules and Public Policy regarding the redistricting process should submit those comments in writing to the Clerk of the Council in the Council during regular business hours between May 19 and June 19, 2002.

(l) All public plans, written comments and accompanying information shall become the property of the Council upon submission to the Clerk of the Council and any information submitted shall not be returned to the individual submitting the information.

(m) Copies of all public plans, written comments and accompanying information submitted to the Clerk of the Council shall promptly be made and delivered to the leader of the majority and minority caucuses.

(n) The public is invited to attend all meetings of the Council and/or the Committee on Rules and Public Policy at which redistricting issues are considered. A tentative schedule of such meetings is contained in this Resolution.

(o) This Rule 1 applies only to plans submitted by the public and does not apply to plans submitted by councillors.

RULE 2. COMMITTEE HEARINGS AND COUNCIL CONSIDERATION

(a) As set forth above, the Committee on Rules and Public Policy shall hold at least two hearings during June and/or July, 2002, to hear testimony on any plans submitted by members of the general public for defining Council district boundaries.

(b) Following the Council budgeting process and on or about September 17, 2002, the Committee on Rules and Public Policy will hold a public hearing to consider any redistricting plan submitted by either caucus of the Council or which has been introduced as an ordinance at a meeting of the Council and has received the sponsorship of at least two Councillors.

(c) At the September, 2002 hearing of the Committee on Rules and Public Policy the Committee may consider any plan submitted by a member of the public provided such plan has been introduced as an ordinance at a meeting of the Council and has received the sponsorship of at least two Councillors.

(d) At the September, 2002 hearing of the Committee on Rules and Public Policy the Committee shall recommend consideration of one or more redistricting plans to the full Council.

(e) At the Council meeting on or about October 7, 2002, the Council shall consider the report of the Committee on Rules and Public Policy and consider the adoption of an ordinance to draw new Council district boundaries.

(f) A special meeting of the Rules and Public Policy Committee is scheduled for October 22, 2002, to consider any further issues that may relate to the redistricting process.

(g) If necessary, the Council may consider adoption of a redistricting ordinance at its meeting on October 28, 2002.

(h) Any redistricting plan containing any proposed district that is greater than one hundred three percent (103%) or less than ninety-seven percent (97%) of the ideal district size must be accompanied by written comments justifying, with reference to objective criteria, the deviations from population equality. The term "ideal district size" refers to the population of Marion County divided by twenty-five (25). The term "deviation from the ideal district size" refers to the amount by which the population of any district is greater than or less than the ideal district size and is expressed as a percentage by dividing the difference between the actual and ideal district sizes by the ideal district size.

RULE 3. NOTICES

Following the adoption of this Resolution, all meetings of the Council or any Committee at which any action concerning redistricting shall be taken shall be scheduled at least twenty-one (21) days in advance, with individual notice given to each Council member and notices given to the public as required by the Indiana Open Door Law.

SECTION 2. The following hearings and meetings at which redistricting matters will be addressed are hereby scheduled. The Chairman of the Committee on Rules and Public Policy may in his discretion cancel any meeting of such Committee. Redistricting matters need not be considered by the Council at any meeting listed should the Council deem consideration of redistricting matters at that meeting unnecessary.

April 16, 2002	Committee on Rules and Public Policy Committee Meeting/Resolution Outlining Redistricting Process is Considered
April 29, 2002	Council Adopts Redistricting Rules
May 19, 2002	Beginning of Period for Submission of Public Plans to Clerk of the Council
June 19, 2002	Deadline for Submission of Public Plans and Written Comments to the Clerk of the Council
June 25, 2002	Hearing of Committee on Rules and Public Policy Committee to Consider Public Testimony Regarding Public Plans and/or Written Comments
July 16, 2002	Second Hearing of Committee on Rules and Public Policy to Consider Public Testimony Regarding Public Plans and/or Written Comments
July 23, 2002	(if necessary) Third Hearing of Committee on Rules and Public Policy to Consider Public Testimony Regarding Public Plans and/or Written Comments

August 26, 2002	Last Council Meeting at Which Individual Council Members May Introduce Proposals for Redistricting Ordinances for Review by Committee on Rules and Public Policy
September 17, 2002	Hearing of Committee on Rules and Public Policy to Consider Proposals for Redistricting Ordinances
October 7, 2002	Council May Consider Adoption of Redistricting Ordinances
October 22, 2002	Special Hearing of Committee on Rules and Public Policy to Take Any Necessary Further Action on Redistricting Issues (if necessary)
October 28, 2002	Council May Consider Adoption of Redistricting Ordinances

EXHIBIT "A"

INSTRUCTIONS FOR SUBMITTING REDISTRICTING PLANS FOR
INDIANAPOLIS CITY-COUNTY COUNCIL

The procedures for submitting proposed redistricting plans for the Indianapolis City-County Council for review by the Committee on Rules and Public Policy is set forth in this Public Plan Submission Kit. Further explanation is provided on the [insert website address] For your plan to be accepted for consideration these procedures must be strictly followed.

This kit contains the following items:

1. A map of Marion County showing current precinct boundaries.
2. A census boundary map of Marion County showing census block boundaries.
3. A table of existing precincts that details the census block components of the precinct and provides corresponding population statistics.
4. A diskette containing the precinct to census block table as described in 3., above, provided in Excel™ and Lotus 1-2-3™ formats.
5. A copy of the pertinent state statute.
6. A copy of the resolution adopted by the City-County Council pertaining to the redistricting process.
7. Summary forms for submission of a redistricting plan.

Plans must be submitted in writing (note instructions below concerning provided forms) to the Clerk of the Council during regular business hours between May 19, 2002 and June 19, 2002. Plans submitted after this period will not be considered by the Committee on Rules and Public Policy.

CRITERIA FOR SUBMITTED PLANS

Plans must meet the following criteria (rules or minimum requirements) in order to be considered by the Committee on Rules and Public Policy.

1. Any redistricting plan considered by the Committee on Rules and Public Policy and/or the Council shall divide Marion County into twenty-five (25) districts that are compact, respect population equality and do not cross current precinct boundary lines.
2. Any redistricting plan containing a total deviation of more than 5% (calculated by adding the percentage deviation from the ideal from the most populous district to the percentage deviation from the ideal of the least populous district) must include a written justification for the deviation which refers to objective reasons for the population deviation in order to be considered by the Committee on Rules and Public Policy.
3. In drafting proposed redistricting plans Council members and members of the public are encouraged to consider and respect natural communities of interest such as neighborhoods, natural and manmade boundaries and political subdivisions in drawing district lines.

4. No redistricting plan shall be considered which purposely, or in practice, discriminates against any racial or ethnic minority group.

SUBMISSION OF PLANS

Plans submitted for review should be complete plans which provide twenty-five Council districts and should include the following items:

1. Detailed Description

The plan should be described by listing the precincts assigned to each district. The plan may use the provided form to enter the district assignments, or precinct assignments may be entered on the spreadsheet provided on the diskette.

2. Summary Sheet

The summary sheet enclosed in the Public Plan Submission Kit should be completed, dated and signed by the submitter.

NEW BUSINESS

Councillor Massie stated that the Rules and Public Policy Committee meeting scheduled for tomorrow evening, May 21, 2002 has been cancelled. He said that the only agenda items were two appointments, and one appointee cannot attend, and the other appointment does not expire and therefore is not urgent.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Tilford in memory of Glenn Monroe; and
- (2) Councillor Talley in memory of Johnny Williams; and
- (3) Councillor Gibson in memory of Robert D. Beard; and
- (4) Councillors Short and Boyd in memory of Richard Nutall; and
- (5) Councillor Short in memory of Carrie Lewis Street; and
- (6) Councillor Smith in memory of Kay Gregory; and
- (7) Councillors Schneider, Coonrod, Boyd, Soards, and Coughenour in memory of Barbara Burton; and
- (8) Councillor Boyd in memory of Richard Laswell and Frances C. Martin.

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 Glenn Monroe, Johnny Williams, Robert D. Beard, Richard Nutall, Carrie Lewis Street, Kay Gregory, Barbara Burton, Richard Laswell, and Frances C. Martin. 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 9:12 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 20th day of May, 2002.

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



President

ATTEST:



Clerk of the Council

(SEAL)