

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

**REGULAR MEETINGS  
MONDAY, OCTOBER 7, 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 7:10 p.m. on Monday, October 7, 2002, with President SerVaas presiding.

Councillor Soards introduced Reverend Carolyn Scanlin, St. Luke's Methodist Church, who led the opening prayer. Councillor Soards then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Langsford recognized a delegation of Belgian Firefighters visiting the City this week. Councillor Cockrum thanked Indianapolis Firefighters Union, Local 416, for hosting a dinner this evening for Council members. Councillor Massie recognized Dr. Cory SerVaas, President SerVaas's wife. Councillor Conley recognized friends and constituents John Wittick and Gary Mann. Councillor Knox introduced his wife of 50 years, Jackie, and members of his family in attendance. Councillor Gray invited Council members and the public to attend a ceremony to honor fallen firefighters this Wednesday at the Firefighters Union Hall at Massachusetts Avenue and College Avenue. Councillor Gibson recognized friend and employee of the Indianapolis Housing Agency, Rob Jackson. Councillor Massie recognized Sheriff Jack Cottey.

**OFFICIAL COMMUNICATIONS**  
**Gerald Bepko, Chancellor of IUPUI**

Gerald Bepko, Chancellor of Indiana University-Purdue University of Indianapolis (IUPUI), made a brief presentation regarding the current status of IUPUI's course offerings and enrollment. He stated that after retiring as chancellor in June of next year, he plans to stay in Indianapolis and teach at IUPUI's law school, as well as volunteer in the community. Michael O'Connor, Chief Deputy Mayor, said without great institutions of learning it is hard to have a great City. He added that Chancellor Bepko has done great things during his tenure and he will be greatly missed. Councillor Soards said that he intends to apply to the school's Masters Program shortly. Councillor Conley said that he hopes the school can repeat their recent successes in basketball.

**Correspondence to the Clerk**

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, October 7, 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

September 17, 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, September 20, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 438, 442, 444-451, and 453-455, 2002, said hearing to be held on Monday, October 7, 2002, at 7:00 p.m. in the City-County Building.

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

September 27, 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. 92, 2002 - the annual budget for the Metropolitan Emergency Communications Agency for 2003

FISCAL ORDINANCE NO. 93, 2002 - appropriates the amounts necessary for payments for city sinking funds for the calendar year 2003

FISCAL ORDINANCE NO. 94, 2002 - appropriates the amounts necessary for payments from the Revenue Bonds Debt Service Funds for 2003

October 7, 2002

FISCAL ORDINANCE NO. 95, 2002 - the annual budget for the Marion County Office of Family and Children for 2003

FISCAL ORDINANCE NO. 96, 2002 - the annual budget for 2003 for certain constitutional officers of Marion County and appropriates the amounts set forth herein for the purposes specified

FISCAL ORDINANCE NO. 97, 2002 - the annual budget for 2003 for certain Marion County judicial and law enforcement agencies and appropriates the amounts set forth herein for the purposes specified

FISCAL ORDINANCE NO. 98, 2002 - the annual budget for 2003 for certain county agencies and appropriates the amounts set forth herein for the purposes specified

FISCAL ORDINANCE NO. 99, 2002 - the annual budget for 2003 for the Consolidated City and appropriates the amounts set forth herein for the purposes specified

FISCAL ORDINANCE NO. 100, 2002 - allocates certain miscellaneous revenues of the Consolidated City and Marion County to respective funds

FISCAL ORDINANCE NO. 101, 2002 - determines the tax levy for 2003 for each fund of the Consolidated City and Marion County

FISCAL ORDINANCE NO. 102, 2002 - authorizes the payment of certain dues for the city and county offices and agencies

FISCAL ORDINANCE NO. 104, 2002 - approves a transfer of \$13,199 in the 2002 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to support the continuation of the Arrestee Drug Abuse Monitoring Program

SPECIAL RESOLUTION NO. 59, 2002 - recognizes Fiesta Indianapolis, Inc's., "Fiesta 2002"

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 2002 - the annual budget for the Police Special Service District for 2003

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2002 - the annual budget for the Fire Special Service District for 2003

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2002 - the annual budget for the Solid Waste Collection Special Service District for 2003

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

President SerVaas proposed the adoption of the agenda as distributed.

Councillor Soards said that he wanted to present a Special Resolution that did not get drafted in time to meet the deadline for introduction. He asked if he could go ahead and present it anyway in handwritten form at the end of the other resolutions. Consent was given.

Councillor Coughenour moved, seconded by Councillor Moriarty Adams, to suspend the rules and vote on Proposal No. 458, 2002 this evening. Councillor Coughenour said that her last meeting was cancelled and this is a time-sensitive issue that needs to be voted on this evening. The rules were suspended by a unanimous voice vote. President SerVaas said that Proposal No. 458, 2002 will be heard this evening under "New Business."

Councillor Smith asked for consent to allow public hearing on Proposal No. 441, 2002 this evening. He said that the advertising for public hearing was not sufficient at the time of the Committee hearing, and testimony should be allowed. Consent was given.

Without further objection, the agenda was adopted.

## **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of September 16, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 508, 2002. The proposal, sponsored by Councillors Borst, Langsford, Tilford, Coughenour, and Massie, concerns the September 20, 2002, tornadoes that hit sections of Indianapolis. Councillor Borst read the proposal and presented volunteers who had helped in relief efforts with copies of the document and Council pins. Councillor Coughenour thanked all the volunteers who helped in the aftermath of the storms and thanked WIBC Radio for charting the path accurately and alerting the public in time for them to seek shelter, and thereby ultimately saving her life. Councillor Massie recognized police and fire personnel who were on the scene almost immediately and Public Works street crews who did such an excellent job clearing debris. Councillor Langsford thanked the volunteers who came out to help Warren Township and recognized the Amish Army who came from Rushville, Indiana to help out. Councillor Tilford thanked CVS Pharmacy for opening their warehouse doors for clean-up supplies and other supplies for families in need. Councillor Talley thanked the Mayor and his staff, Congresswoman Julia Carson's staff, and Lawrence and Warren Township Administrators. President SerVaas said that it took a lot of volunteers and a lot of time and energy, and this tragedy has shown how people can work together. Councillor Borst moved, seconded by Councillor Coughenour, for adoption. Proposal No. 508, 2002 was adopted by a unanimous voice vote.

Proposal No. 508, 2002 was retitled SPECIAL RESOLUTION NO. 60, 2002, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 60, 2002**

A SPECIAL RESOLUTION concerning the September 20, 2002 tornadoes that hit sections of Indianapolis.

WHEREAS, on Friday afternoon, September 20<sup>th</sup>, a trio of tornadoes ripped through parts of south, east and northeast Indianapolis causing millions of dollars of damage, but miraculously no fatalities; and

WHEREAS, The National Weather Service accurately tracked the tornadoes coming from the southwest and issued advance warnings, whereupon sirens went off and schools, YMCA's and other building officials moved people to the preplanned safest areas, and residents had a few minutes to prepare themselves; and

WHEREAS, after the devastating 200-mph winds, a number of assistance groups rushed to the scenes and went to work, including the city, county and township police and fire departments, and following on the heels of these public safety agencies were crews from IPL, Citizens Gas and SBC Ameritech, the Salvation Army and the Red Cross; and

WHEREAS, throughout the afternoon and evening hospitals stood ready with their disaster plans, numerous businesses stayed open late and assisted their affected workers, local TV stations and a radio station dispatched reporters to keep the public informed, the Sheriff's Reserves spent hundreds of volunteer hours at their assigned posts, and city workers from DPW and the private contract trash companies, the Mayor's Action Center, DMD's building inspectors and permit officials, and IndyGo, along with many others all helped; and

WHEREAS, overnight, some banks arranged for emergency reduced rate assistance loans, at least two insurance companies set up special processing offices, the affected township assessors expedited revised property tax valuation forms, some nearby churches and PTA's set up emergency free food and clothing



October 7, 2002

centers, countless friends, neighbors and even strangers responded to those who suffered losses; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks all of those who responded to the tornado emergency of September 20, 2002.

SECTION 2. A lot of people did a great job in quick fashion to help prevent tragedy and to assist in restoring people's lives back to as normal as possible after the storm, for which Indianapolis is deeply grateful.

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. 509, 2002. The proposal, sponsored by Councillors Douglas and Gray, commends Washington Township Schools Superintendent Dr. Eugene G. White for his bold initiative to improve student achievement at North Central High School. Councillor Douglas stated that Dr. White could not be here this evening, and he moved, seconded by Councillor Gray, to postpone Proposal No. 509, 2002 until October 28, 2002. Proposal No. 509, 2002 was postponed by a unanimous voice vote.

PROPOSAL NO. 510, 2002. The proposal, sponsored by Councillor Moriarty Adams, recognizes the 100th Anniversary of Tuxedo Park Baptist Church. Councillor Moriarty Adams read the proposal and presented representatives with copies of the document and Council pins. Reverend Bob Welling thanked the Council for the recognition. President SerVaas commended the church for their commitment to keeping their Boy Scout Troop alive. Rev. Welling said that the troop was established in 1909 and was the first troop in the State of Indiana, and is the sixth oldest continuous troop in the country. Councillor Moriarty Adams moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 510, 2002 was adopted by a unanimous voice vote.

Proposal No. 510, 2002 was retitled SPECIAL RESOLUTION NO. 62, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 2002

A SPECIAL RESOLUTION recognizing the 100<sup>th</sup> Anniversary of Tuxedo Park Baptist Church.

WHEREAS, at the turn of the last Century, houses were being built on the outer east side of Indianapolis, and Woodruff Place Baptist Church advanced \$150 for a mission startup congregation at 29 North Grant Street; and

WHEREAS, during the 20<sup>th</sup> Century this Tuxedo Park Baptist Church returned the favor by helping seed three more new Churches further east, they being Emerson Avenue Baptist Church, Franklin Road Baptist Church, and Arlington Heights Baptist Church; and

WHEREAS, now celebrating its 100<sup>th</sup> Anniversary Year, Tuxedo Park Baptist has much to be proud, being host to Boy Scout Troop #1 the sixth oldest continuous Scout Troop in the United States, and it is the host site for Grace Tuxedo Park Neighborhood Organization which tackles neighborhood concerns; and

WHEREAS, during its first 100 years, Tuxedo Park Baptist has only had eight pastors, and Reverend Bob Welling has been serving the congregation since 1996; 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 congratulates and thanks Tuxedo Park Baptist Church for ministering to the spiritual, temporal, and social needs of its members, friends, and neighborhood since the time when Teddy Roosevelt was President, the American flag had 45 stars, and the Wright Brothers were still in the bicycle shop business.

SECTION 2. During its first 100 years Tuxedo Park Baptist has successfully met many challenges and opportunities, and this proud and vital congregation will continue carrying on God's work in the 21<sup>st</sup> Century with an energy and vigor that would make the Church pioneers proud.

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. 511, 2002. The proposal, sponsored by Councillor Talley, recognizes NaKitta Parks-Turner. Councillor Talley read the proposal and presented Ms. Turner with a copy of the document and a Council pin. Ms. Turner thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Gibson, for adoption. Proposal No. 511, 2002 was adopted by a unanimous voice vote.

Proposal No. 511, 2002 was retitled SPECIAL RESOLUTION NO. 63, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 2002

A SPECIAL RESOLUTION recognizing NaKitta Parks-Turner.

WHEREAS, Ms. Barbara NaKitta Parks-Turner graduated from Broad Ripple High School and is attending classes at Ivy Tech State College; and

WHEREAS, throughout high school Ms. Parks-Turner participated in the cheerleading squad, band, orchestra and Model Search in Chicago; and

WHEREAS, Ms. Parks-Turner is a member of Greater St. Marks Missionary Baptist Church where she serves on the Youth Usher Board, Girls Auxiliary, Girls Task Force, and sings in the Choir; and

WHEREAS, Ms. Parks-Turner is continuing to make her parents Bobby and Timothene Parks proud as she lives her dream of shaping young minds as head teacher at Bright Horizons School; 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 dedicated and motivated Ivy Tech College student Barbara NaKitta Parks-Turner and her willingness to help others.

SECTION 2. The younger years are never an easy time in a person's life, but Ms. Parks-Turner seems to demonstrate extraordinary maturity and good judgment at school, in church, and is using this developing stage of her life to build a solid foundation for the future, and the Council wishes her the best of success.

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. 512, 2002. The proposal, sponsored by Councillors Gray and Brents, recognizes the Indianapolis Soap Box Derby Association and the Indianapolis Inner City Youth Racing League. Councillor Gray read the proposal and presented representatives with copies of the document and Council pins. Ford Wilson, organizer of the event, recognized winners and

others involved and thanked the Council for the recognition. Reverend Ogden Williams and youth leader Rob Jackson, members of the organization committee, thanked the Council for the honor. Councillor Brents invited Councillors to come out and watch a race. Councillor Gray moved, seconded by Councillor Brents, for adoption. Proposal No. 512, 2002 was adopted by a unanimous voice vote.

Proposal No. 512, 2002 was retitled SPECIAL RESOLUTION NO. 64, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 2002

A SPECIAL RESOLUTION concerning the Indianapolis Soap Box Derby Association and the Indianapolis Inner City Youth Racing League.

WHEREAS, the Akron, Ohio, based Soap Box Derby is a youth non-motorized racing program that teaches young people basic workmanship skills, the spirit of competition, and the commitment to continue a project once it has begun; and

WHEREAS, the Indianapolis Soap Box Derby Association is one of only three cities that has participated in the national soap box racing program since its founding in 1934; and

WHEREAS, the Indianapolis Derby began on the hill in front of Second Presbyterian Church near 80<sup>th</sup> and Meridian Streets, but now has a permanent home at the Wilbur Shaw Memorial Soap Box Derby Hill at Riverside Park which is considered one of the best tracks and facilities in the nation; and

WHEREAS, last year a partnership with the Indianapolis Motor Speedway, the Indianapolis Department of Parks and Recreation, the Indianapolis Weed and Seed Program, the Indianapolis Housing Agency, and the local Soap Box Derby Association formed the Indianapolis Inner City Youth Racing League, which in its very first year was recognized by the Akron national office as a model for other cities, and this second year saw the number of drivers and teams increase 40% over the first year; 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 generations of adults and young people who have been a part of the Indianapolis Soap Box Derby Association, and now the new Indianapolis Inner City Youth Racing League.

SECTION 2. The Council is proud to have such an active local derby organization in Indianapolis, and wishes them the best of success in the future.

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

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

Councillor Soards read a special resolution welcoming an International delegation of the "American Council of Young Political Leaders" to the City next week. He stated that both he and Councillor Gibson have participated in this program that allows individuals to experience democracy in other parts of the world. Councillor Gibson welcomed this group to Indianapolis and said that it was a wonderful opportunity for him to visit Bulgaria and for Councillor Soards to visit Uruguay.

Councillor Borst stated that he failed to recognize Perry Township Assessor Kathy Price during the introduction of visitors.

Councillor Borst asked for consent to vote on Proposal Nos. 437 and 440, 2002 together. Both are board appointments that passed out of their respective committees with unanimous do pass recommendations. Consent was given.

PROPOSAL NO. 437, 2002. The proposal, sponsored by Councillor Borst, appoints Richard Petrecca to the County Property Tax Assessment Board of Appeals. PROPOSAL NO. 440, 2002. The proposal, sponsored by Councillor Coughenour, appoints Gus Miller to the Indianapolis City Market Corporation Board of Directors. By unanimous votes, the Committees reported the proposals to the Council with the recommendation that they do pass. Councillor Borst moved, seconded by Councillor Coughenour, for adoption. Proposal Nos. 437 and 440, 2002 were adopted by a unanimous voice vote.

Proposal No. 437, 2002 was retitled COUNCIL RESOLUTION NO. 78, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2002

A COUNCIL RESOLUTION appointing Richard Petrecca to the County Property Tax Assessment Board of Appeals.

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 County Property Tax Assessment Board of Appeals, the Council appoints:

Richard Petrecca

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. 440, 2002 was retitled COUNCIL RESOLUTION NO. 79, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2002

A COUNCIL RESOLUTION appointing Gus Miller to the Indianapolis City Market Corporation Board of Directors.

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 City Market Corporation Board of Directors, the Council appoints:

Gus Miller

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.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 456, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$45,000 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (County General Fund) to increase funding in the food budget for the remainder of 2002, funded by revenues from the



School Lunch Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 484, 2002. Introduced by Councillors McWhirter and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which codifies the salaries of elected and appointed officials and fixes the salaries of county employees for calendar year 2003"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 485, 2002. Introduced by Councillors McWhirter and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Deferred Compensation Plan of the City and County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 486, 2002. Introduced by Councillor Douglas. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of "City of Indianapolis, Indiana, Redevelopment District Annual Appropriation Revenue Bonds of 2002," in an original aggregate issued amount not to exceed Five Million Dollars to complete necessary improvements in the 82 acre Martindale Brightwood Industrial Development Area/Keystone Enterprise Park located at I-70 and Keystone Avenue"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 487, 2002. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$575,000 in the 2002 Budget of the Department of Parks and Recreation (Transportation General Fund) to pay for the collection and removal of trees and related debris from public rights-of-way resulting from the tornadoes of September 20, 2002, financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 488, 2002. Introduced by Councillors Cockrum and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$168,750 in the 2002 Budget of the Department of Parks and Recreation (City Cumulative Capital Development Fund) to fund the DPR portion of payment for Cottonwood Lakes at approximately 8900 South Mann Road, as well as complete the purchase of the Mann Property, making Southwestway Park the second largest park in Marion County, financed by fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 489, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$175,000 in the 2002 Budget of the County Sheriff (State and Federal Grants Fund) for expenses related to the Local Law Enforcement Block Grant # 6, funded by grant from the Bureau of Justice Programs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 490, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$125,000 in the 2002 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to cover the expenses of the Multi-Agency Law Enforcement Fatal Crash Team, funded by grant from the Governor's Council on Impaired and Dangerous Driving and the National Highway Traffic Safety Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 491, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$11,135 in the 2002 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to cover the expenses of the Fathers That Work Program, funded by a grant from the State of Indiana"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 492, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 2002 Budgets of the County Auditor and the Marion County Superior Court (State and Federal Grants Fund) to cover expenses related to the Local Law Enforcement Block Grant # 6, funded by grant from the Bureau of Justice Programs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 493, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$6,849 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (Guardian Ad Litem Fund) to cover expenses related to Child Advocates, Inc., funded by a grant from the State of Indiana"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 494, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$28,065 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to fund additional expenses for the Juvenile Accountability Incentive Block Grant #3"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 495, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,070,567 in the 2002 Budgets of the County Auditor and the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate the Juvenile Accountability Incentive Block Grant #4 from the Indiana Criminal Justice Institute(Local match of \$20,968 is funded by existing appropriations in the Marion County Justice Agency and Marion County Superior Court)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 496, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves an increase of \$2,500 in the 2002 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to support the Permanent Fitting Stations (PFS) project at IFD Station #30, a program to educate citizens on the proper installation and use of carseats, financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 497, 2002. Introduced by Councillors Dowden and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$70,000 in the 2002 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund) to pay for additional animal supplies and clothing supplies for new field and kennel employees, and to fund a consultant study of the Care and Control sections of this division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 498, 2002. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates a merit system for the hiring,

promotion, layoff, recall, and discipline of corrections officers in the employ of the Marion County Sheriff"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 499, 2002. Introduced by Councillors Gibson and Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's establishment of a charter school by issuing a charter to Flanner House Higher Learning Center, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 500, 2002. Introduced by Councillors Gibson and Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's establishment of a charter school by issuing a charter to Charter for Accelerated Learning, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 501, 2002. Introduced by Councillors Gibson and Bainbridge. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's establishment of a charter school by issuing a charter to KIPP Indianapolis, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 502, 2002. Introduced by Councillors Cockrum and Gray. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to purchase approximately 92 acres of real property at 8605 Mann Road for the use of the Department of Parks and Recreation"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 503, 2002. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for Madison Avenue, Nelson Avenue, and K-Mart Access Drive (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 504, 2002. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for Emerson Avenue at Crystal Flash Entrance located at 4903 South Emerson Avenue (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 505, 2002. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 12th Street and Sheffield Avenue (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 506, 2002. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Auburn Street and Oliver Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 507, 2002. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on the north side of 42nd Street, from College Avenue west to the first alley (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 522, 2002. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the transfer of control of Cable Television Franchise from Time Warner Entertainment-Advance Newhouse Partnership to



TWEAN Subsidiary, LLC"; and the President referred it to the Rules and Public Policy Committee.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 513-514, 2002, PROPOSAL NO. 515, 2002, PROPOSAL NOS. 516-520, 2002, and PROPOSAL NO. 521, 2002. Introduced by Councillor Smith. Proposal Nos. 513-514, 2002, Proposal No. 515, 2002, Proposal Nos. 516-520, 2002, and Proposal No. 521, 2002 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on September 28 and October 1 and 2, 2002, respectively. 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. 127-135, 2002, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 127, 2002.

2002-ZON-060A

1701, 1717 and 1819 MAIN STREET and 14 and 18 SOUTH 17<sup>TH</sup> AVENUE (approximate addresses), CITY OF BEECH GROVE.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

FAMILY VIDEO MOVIE-CLUB, INC., by Joseph D. Calderon request a rezoning of 1.20 acres, being in the D-5 and C-4 Districts, to the C-3 classification to provide for neighborhood commercial development.

REZONING ORDINANCE NO. 128, 2002.

2002-ZON-060B

1717 and 1819 MAIN STREET and 14 and 18 SOUTH 17<sup>TH</sup> AVENUE (approximate addresses), CITY OF BEECH GROVE.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

FAMILY VIDEO MOVIE-CLUB, INC., by Joseph D. Calderon request a rezoning of 1.40 acres, being in the D-5, C-1 and C-4 Districts, to the D-8 classification to legally-establish multi-family residential development.

REZONING ORDINANCE NO. 129, 2002.

2002-ZON-102

2512 and 2600 EAST 38<sup>TH</sup> STREET (approximate address), INDIANAPOLIS.

WASHINGTON and CENTER TOWNSHIPS, COUNCILMANIC DISTRICT #11

CHILDREN'S BUREAU OF INDIANAPOLIS.. INC., requests a rezoning of 1.73 acres, being in the D-5 (W-1) and C-1 (W-1) District, to the C-1 (W-1) classification to provide for a community multi-service center.

REZONING ORDINANCE NO. 130, 2002.

2002-ZON-039

9251, 9249, 9229, and 9215 ROCKVILLE ROAD and 59, 75, 85, and 153 SOUTH RACEWAY ROAD (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

DS DEVELOPMENT LLC requests a rezoning of 5.46 acres, being in the C-3 and D-2 Districts, to the C-S classification to provide for C-1 and C-3 uses.

REZONING ORDINANCE NO. 131, 2002.

2002-ZON-099 (2002-DP-008)

3901 SHELBYVILLE ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

COMMUNITY DEVELOPMENT, INC, by Raymond Good, requests a rezoning of 62.40 acres, being in the D-A District, to the D-P classification to provide for single-family and two-family residential development, resulting in 2.69 units per acre.



REZONING ORDINANCE NO. 132, 2002.

2002-ZON-120

2835 NORTH ILLINOIS STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

FATHERS AND FAMILIES RESOURCE/RESEARCH CENTER, INC. requests a rezoning of 0.40 acre, being in the SU-35 District, to the C-1 classification to provide for office development.

REZONING ORDINANCE NO. 133, 2002.

2002-ZON-127

11960 EAST 62<sup>ND</sup> STREET (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

ALLSTAR PROPERTY DEVELOPMENT, LLC, by Joseph M. Scimia, requests a rezoning of 5.00 acres, being in the D-A District, to the C-4 classification to provide for an indoor recreational facility.

REZONING ORDINANCE NO. 134, 2002.

2002-ZON-129

5050 NORTH POST ROAD (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #5

GORE LANDSCAPING, by Thomas Michael Quinn, requests a rezoning of 4.64 acres, being in the I-2-S and C-5 Districts, to the C-S classification to provide for a mixed commercial use facility including a landscaping business, neighborhood commercial and light industrial uses with related parking and ancillary uses.

REZONING ORDINANCE NO. 135, 2002.

2002-ZON-085 (2002-DP-006)

8020 ACTON ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

C. P. MORGAN COMMUNITIES, LP, by Brian J. Tuohy, requests a rezoning of 148.8 acres, being in the D-A (FF) District, to the D-P (FF) classification to provide for single-family residential development, with a density of 2.55 units per acre.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 438, 2002. Councillor Bradford reported that the Community Affairs Committee's last committee hearing was cancelled, but he asked for consent to go ahead and hear the proposal and vote on it this evening. Consent was given. The proposal, sponsored by Councillor Bradford, approves an increase of \$30,000 in the 2002 Budgets of the County Auditor and the Cooperative Extension Service (County Grants Fund) to fund the program assistant position for one year, funded by a grant from the Indiana State Lawn Care Association. Councillor Bradford said that a representative from the Cooperative Extension is here to answer any questions, but each Councillor should have received information regarding this proposal in their mailbox.

President SerVaas called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Bradford moved, seconded by Councillor Conley for adoption. Proposal No. 438, 2002 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*5 NOT VOTING: Boyd, Coughenour, Gibson, Knox, Talley*

Proposal No. 438, 2002 was retitled FISCAL ORDINANCE NO. 105, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 98, 2001) appropriating an additional Thirty Thousand Dollars (\$30,000) in the County Grants Fund for purposes of the County Auditor and the Cooperative Extension Service and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b,m) 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 Auditor and the Cooperative Extension Service to fund the program assistant position for one year.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services-fringes	8,400
<u>COOPERATIVE EXTENSION SERVICE</u>	
1. Personal Services	21,600
TOTAL INCREASE	30,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	30,000
TOTAL REDUCTION	30,000

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

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

PROPOSAL NO. 442, 2002. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 442, 2002 on September 19, 2002. The proposal, sponsored by Councillors Cockrum and Gray, approves an appropriation of \$236,184 in the 2002 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to establish and continue after school youth programs at several IPS and Indy Park sites, financed by federal grants. 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 8:47 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Gray, for adoption. Proposal No. 442, 2002 was adopted on the following roll call vote; viz:

23 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Douglas, Dowden, Gray, Knox, Massie, McWhirter, Moriarty Adams, Nytes, Schneider, SerVaas, Short, Smith, Soards, Tilford

0 NAYS:

6 NOT VOTING: Conley, Gibson, Horseman, Langsford, Sanders, Talley

Proposal No. 442, 2002 was retitled FISCAL ORDINANCE NO. 106, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating Two Hundred and Thirty-six Thousand One Hundred and Eighty-four Dollars (\$236,184) in the Non-Lapsing Federal Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (l) 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 Parks and Recreation to establish and continue after school youth programs at several IPS and Indy parks sites.

SECTION 2. The sum of Two Hundred and Thirty-six Thousand One Hundred and Eighty-four Dollars (\$236,184) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
2. Materials and Supplies	24,500
3. Other Services and Charges	208,984
4. Capital Outlay	<u>2,700</u>
TOTAL INCREASE	236,184

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

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>236,184</u>
TOTAL DECREASE	236,184

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

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

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 444-449 and 451, 2002 on September 18, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 444, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$95,652 in the 2002 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund a specially trained OVWI (Operating a Vehicle While Intoxicated) Fatality Prosecutor, funded by a grant from the Governor's Council on Impaired and Dangerous Driving and the National Highway Traffic Safety Administration. PROPOSAL NO. 445, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$200,000 in the 2002 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) for seat belt and drunk driving enforcement and public information campaign in Marion County, funded by a grant from the Governor's Council on Impaired and Dangerous Driving and the National Highway Traffic Safety Administration. PROPOSAL NO. 446, 2002. The proposal,



sponsored by Councillor Dowden, approves an increase of \$244,000 in the 2002 Budgets of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to fund a drunk driving enforcement project in Marion County, funded by a grant from the Governor's Council on Impaired and Dangerous Driving and the National Highway Traffic Safety Administration. PROPOSAL NO. 447, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$3,609 in the 2002 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to appropriate the difference between the 2002 Grant Book and the amount awarded for A Child's Haven. PROPOSAL NO. 448, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$5,352 in the 2002 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to appropriate the difference between the 2002 Grant Book and the amount awarded for the Julian Center. PROPOSAL NO. 449, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$86,232 in the 2002 Budget of the Marion County Superior Court (State and Federal Grants Fund) to continue treatment readiness evaluations by CASI (Community Addiction Services of Indiana) and implement a web site for Community Court information, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 451, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$150,000 in the 2002 Budget of the Marion County Superior Court (Jury Pay Fund) to pay for a death penalty case, financed by fund balances. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President SerVaas called for public testimony at 8:53 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal Nos. 444-449 and 451, 2002 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 NOT VOTING: Bradford, Gibson, Horseman*

Proposal No. 444, 2002 was retitled FISCAL ORDINANCE NO. 107, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Ninety-five Thousand Six Hundred Fifty-two Dollars (\$95,652) in the State and Federal Grants Fund for purposes of the County Auditor and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 Auditor and the Prosecuting Attorney to fund a specially trained OVWI (Operating a Vehicle While Intoxicated) Fatality Prosecutor.

SECTION 2. The sum of Ninety-five Thousand Six Hundred and Fifty-two Dollars (\$95,652) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.



SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	14,738
<u>PROSECUTING ATTORNEY</u>	
1. Personal Service	58,943
2. Supplies	1,000
3. Other Services and Charges	<u>20,971</u>
TOTAL INCREASE	95,652

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>95,652</u>
TOTAL REDUCTION	95,652

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. 445, 2002 was retitled FISCAL ORDINANCE NO. 108, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the State and Federal Grants Fund for purposes of the County Auditor and Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b,c) 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 Auditor and the Prosecuting Attorney for seat belt and drunk driving enforcement and for a public information campaign in Marion County.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	7,572
<u>COUNTY PROSECUTOR</u>	
1. Personal Service	66,852
2. Supplies	4,000
3. Other Services and Charges	<u>121,576</u>
TOTAL INCREASE	200,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

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

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

Proposal No. 446, 2002 was retitled FISCAL ORDINANCE NO. 109, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Two Hundred Forty-four Thousand Dollars (\$244,000) in the State and Federal Grants Fund for purposes of the County Auditor and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 Auditor and the Prosecuting Attorney to fund a drunk driving enforcement project in Marion County.

SECTION 2. The sum of Two Hundred Forty-four Thousand Dollars (\$244,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	7,544
<u>PROSECUTING ATTORNEY</u>	
1. Personal Service	88,766
3. Other Services and Charges	<u>147,690</u>
TOTAL INCREASE	244,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>244,000</u>
TOTAL REDUCTION	244,000

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

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

Proposal No. 447, 2002 was retitled FISCAL ORDINANCE NO. 110, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Three Thousand Six Hundred Nine Dollars (\$3,609) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to appropriate the difference between the 2002 Grant Book and the amount awarded for A Child's Haven.

SECTION 2. The sum of Three Thousand Six Hundred Nine Dollars (\$3,609) 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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	3,609
TOTAL INCREASE	3,609

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	3,609
TOTAL REDUCTION	3,609

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. 448, 2002 was retitled FISCAL ORDINANCE NO. 111, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Five Thousand Three Hundred Fifty-two Dollars (\$5,352) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 Prosecuting Attorney to appropriate the difference between the 2002 Grant Book and the amount awarded for the Julian Center.

SECTION 2. The sum of Five Thousand Three Hundred Fifty-two Dollars (\$5,352) 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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>5,352</u>
TOTAL INCREASE	5,352

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>5,352</u>
TOTAL REDUCTION	5,352

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. 449, 2002 was retitled FISCAL ORDINANCE NO. 112, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Eighty-six Thousand Two Hundred Thirty-two Dollars (\$86,232) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 Marion County Superior Court to continue treatment readiness evaluations by Community Addiction Services of Indiana and implement a web site for Community Court information.

SECTION 2. The sum of Eighty-six Thousand Two Hundred Thirty-two Dollars (\$86,232) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>86,232</u>
TOTAL INCREASE	86,232

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>86,232</u>
TOTAL REDUCTION	86,232

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. 451, 2002 was retitled FISCAL ORDINANCE NO. 113, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Jury Pay Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Jury Pay Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for a death penalty case.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>JURY PAY FUND</u>
3. Other Services and Charges	<u>150,000</u>
TOTAL INCREASE	150,000

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

	<u>JURY PAY FUND</u>
Unappropriated and Unencumbered	
Jury Pay Fund	<u>150,000</u>
TOTAL REDUCTION	150,000

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

Councillor Dowden stated that Proposal Nos. 450, and 453-455, 2002 need to be postponed. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 450, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$40,000 in the 2002 Budget of the Marion County Superior Court (State and Federal Grants Fund) to pay for exterior improvements to the Community Court building, funded by a grant from a Community Development Block Grant, through the Department of Metropolitan Development. PROPOSAL NO. 453, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$2,000 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) for the purchase of supplies for two children's programs, funded by a grant from Alliance with Indiana. PROPOSAL NO. 454, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$70,000 in the 2002 Budget of the Marion County Superior Court, Juvenile Division (Guardian Ad Litem Fund) to increase funding to Child Advocates, Inc., funded by revenue received from the State of Indiana. PROPOSAL NO. 455, 2002. The proposal, sponsored by Councillor Dowden, approves an increase of \$50,000 in the 2002 Budget of the Marion County Superior Court, Juvenile Division

(Juvenile Probation Fees Fund) to remodel the Juvenile Probation office, financed by fund balances. Councillor Dowden moved, seconded by Councillor Massie, for postponement.

Councillor Short asked why Proposal No. 450, 2002 is being postponed when it passed out of committee with a unanimous do pass recommendation. Councillor Dowden said that the fund was mis-identified in the advertising, and because it needed to be re-advertised, it cannot be acted on this evening.

Proposal Nos. 450, and 453-455, 2002 were postponed until October 28, 2002 by a unanimous voice vote.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 434, 2002. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 434, 2002 on September 17, 2002. The proposal, sponsored by Councillors Borst and McWhirter, concerns council district boundaries. Councillor Massie said that several public hearings have been held and three public maps were submitted for consideration. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst said that this has been a very long process and there has been more public input than ever before. Also, the maps and information have been on the Internet, which was not available ten years ago. He said that some further amendments were hand-delivered and e-mailed last week. He said that the amended version has been available to the public, as well, since last Thursday both on the Internet and through the Council office. He said that these amendments keep the population deviation at 0.25, with no district having more than 45 people more or less than the ideal. The amendment puts the normal routine of signing off on the redistricting back into the proposal, so that the Council can simply vote on the merits of the map with this proposal. He said that he still believes the Mayor should not have a role in the redistricting process as has been the case in the past, and he hopes the Mayor will respect that. The State law separates the powers between the Council and the Mayor, and the law specifically states that the Council shall divide the county into 25 districts. Councillor Borst moved, seconded by Councillor Soards, to amend the proposal as per this amended version. Proposal No. 434, 2002 was amended on the following roll call vote; viz:

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

Councillor Talley said that the different aspects of the amendment should be separated out, so that he can vote differently on separate items. President SerVaas said that the vote has already taken place and that is not possible at this time.

Councillor Borst moved, seconded by Councillor Massie, for adoption of Proposal No. 434, 2002, as amended.

Councillor Boyd read the following prepared statement:

Dr. SerVaas, Dr. Borst, members of the Council, and members of the public both here and watching on television:

I am privileged to have served as a member of this Council since 1968, longer than any other member save Dr. SerVaas. I am also proud to have served for much of that time as minority leader. As minority leader, I have tried to conduct myself honorably and with the dignity this Council deserves. I have cooperated with the majority when I agreed with its proposals, and I have opposed them on those occasions when I believed their ideas to be misguided. Tonight, however, I am feeling both anger and disappointment about the Redistricting proposal that has been put before us and about the process that led us to this point. Only Dr. SerVaas and I have been on this Council during each of the post-Unigov redistrictings. I am not so naïve as to think that redistricting is not, by its nature, perhaps the most partisan undertaking we or any other legislative body engages in. During these previous redistrictings, I and my fellow Democrats were little more than bystanders because there were too few of us to meaningfully influence the process. During those previous redistrictings, Republicans had very substantial majorities on the Council as well as control of the Mayor's office. Republicans were at that time clearly entitled to claim the mantle of governing party, and we as Democrats had little choice but to let them govern and to play our role as the loyal opposition.

Thirty years of one-party domination of Marion County politics suddenly changed in 1999, with the election of Mayor Peterson, and for the first time in the history of Unigov, the election of four Democrats to the at-large Council seats. Our City and County have changed dramatically since the last time this body redrew its districts. No doubt to the displeasure of the majority, the changes have affected the politics of the County. Not only did the Democratic Party make substantial gains in the 1999 municipal elections, it also gained ground in the 2000 election cycle. My party's candidate for governor received over 61% of the vote in this county in the year 2000, and our county-wide candidates lost only narrowly. The Republican majority of this Council is no doubt aware of these successes, and they surely suspect further success is likely for our party. In short, Marion County is now politically competitive. As a Democrat leader in Indianapolis-Marion County, I do not intend to stand idly by and watch Republican leadership try to reverse this competitiveness with a pencil.

When this redistricting process began earlier this year, the Majority Leader promised that the process would be open and fair, with unparalleled public access and input. We in the minority took him at his word. Early in the process we offered amendments to Proposal No. 211, 2002, which set forth the rules and timeline for Council redistricting. Our amendments would have required a 2-day notice of significant amendments to any redistricting proposal before it was submitted to either a committee or Council vote. This amendment, had it been approved, would have ensured a fair opportunity for the members of this Council and the public to review and comment upon redistricting proposals. Unfortunately, the Republican majority defeated this proposal on a party-line vote. In accordance with the timeline set forth in Proposal No. 211, 2002, I submitted a redistricting proposal on behalf of the Democratic caucus on August 26, 2002. The proposal that I submitted on that date was available for review by the public, the press, and the Majority party for a three-week period prior to the Rules and Public Policy Committee hearing held on September 17, 2002 to consider redistricting proposals. We were prepared to explain, debate, and defend our plan on that date. We were also prepared to discuss and debate the merits of the Republican plan that had been submitted on August 26, 2002 for consideration. However, we arrived at the Committee hearing on September 17 to find that Council Republican leadership had submitted an entirely new redistricting plan on behalf of the Republican caucus. No explanation for this last-minute amendment was given. This was precisely the type of gamesmanship that we sought to prevent in offering the earlier amendment to Proposal No. 211, 2002. By submitting a new redistricting plan, the Republican majority prevented any discussion or debate of the merits of the plan. The Republican majority denied the public the opportunity to review and comment upon its proposal at the Committee hearing. The Democratic members of the Committee asked that any vote on the proposed plan be delayed until the next meeting of the Rules and Public Policy Committee. Indeed, Proposal No. 211, 2002 specifically sets forth an October 22, 2002 date for an additional meeting of the Committee to consider redistricting proposals. The Republican majority refused to provide the public with additional time to review its new proposal, and on a party-line vote, passed the proposal out of committee.

At the September 17<sup>th</sup> Committee meeting, the majority party also engaged in an act I have never seen in my 30 years on the Council. Instead of debating the merits of the proposal that I had submitted on behalf of the Caucus, Dr. Borst asked its attorney to come forward and attempt to engage me and the other Democratic members of the Committee in a cross-examination regarding the proposal. I was prepared and willing to answer any and all questions from my fellow Council



members regarding the merits of the proposal. I would have gladly answered questions from the public regarding the proposal. However, I found it highly inappropriate to be subjected to questioning by the Republican majority's hired lawyer for purely political reasons. I was and remain outraged by this unseemly political cheap trick.

Late last week, the Republicans made still further changes to their plan. Thus, we are now presented with the third different proposal that has been offered by the Republican majority. I would not have been surprised and I will not be surprised if we are presented with a fourth version tonight. In light of this pattern, how can anyone know if we are considering the real Republican plan or just stalking a horse? How do we know that if their current version is defeated by the Council or vetoed by the Mayor, as we believe it should be, that they won't spring yet another version on us and the public at a future committee or Council meeting?

At the beginning of this process, the Majority party paid lip service to the requirement in the statute that districts be compact, so as to respect communities of interest and decrease the public's cynicism of the redistricting process. The governing statute does not say that districts should be compact. Nor does the statute say that they shall be "reasonably compact" or that they should be "as compact as is practicable." Rather, the statute says that districts shall, without qualification, be "compact." When the three plans submitted by members of the public were critiqued by the consultant hired by the majority party, he described each of these plans as not having compactness as an objective. Yet each of those plans showed far more respect for the compactness requirement than does the current Republican plan, which more resembles a jigsaw puzzle or a Picasso painting than a symmetrical grid. Not only does the current Republican redistricting proposal ignore the compactness requirement, it is also an example of political gerrymandering in its most obvious form. The latest Republican plan pairs two Democratic incumbents (Councillors Short and Knox) in the same district. It also converts the district in which Councillor Gray serves from a Democratic to a Republican majority district. The Republican proposal significantly alters the boundaries of the districts currently occupied by Democrats, for the apparent political purpose of forcing Democrats to run in substantially different districts. In short, the current Republican plan shows that the majority party is not simply content with the 60% of the single-member districts it currently controls, but wants to insure that it will continue to control districts in gross disproportion to the number of Republican voters in Marion County. We will oppose, and ask the Mayor to veto, any redistricting ordinance that denies to a segment of Marion County voters a fair opportunity to compete for majority status on the Council. I am also angry that the majority party has the audacity to tell the rest of us that Council redistricting is no one's business but theirs. Until late last week, the Republican's redistricting ordinance, Proposal No. 434, 2002, contained a section declaring that redistricting is the Council's sole prerogative and that the voices of the rest of us, including the Mayor's, should be silenced. The majority party has at least for now backed away from this extreme and legally untenable position. But at the same time it now asks the Council to enact a resolution declaring that redistricting is none of the Mayor's or the public's business. In a letter last week to Council members, Dr. Borst also ominously warned the Mayor against "provoking a legal showdown," which he implied would follow if the Mayor were to veto the Republican's politically gerrymandered and flawed redistricting map.

I assure the members of the majority party that the Democrats on this Council will not be bullied. We are tired of the gamesmanship you have exhibited throughout this process. We are tired of being treated as if we were irrelevant to the redistricting process. We are tired of the last-minute bait-and-switch tactics which have kept us and the public from analyzing your redistricting plans. We are tired of watching you use the technology paid for by the taxpayers of this county to deny Democratic voters a proportional share of the 25 single-member seats on this Council. We are tired of your challenge to Mayor Peterson's right and indeed his duty to carefully scrutinize any redistricting ordinance to make certain that it complies with the law and is politically fair to all voters in this county. And we are tired of your secrecy and political manipulation of the process to further your purely partisan goals.

If the Democratic voters of this county continue to be denied justice in the redistricting process or its outcome, we will not hesitate to look to the other branches of government to restore the justice and fairness they have thus far been denied. We will not be intimidated in the pursuit of these objectives and we will not quit until a legal, fair, and just redistricting plan is in place. To do any less would be a disservice to the voters of this county who in 1999 voted for political parity in this County.



Councillor Borst said that input has been allowed to both the Minority Caucus and the public since the beginning of this process. He said that the Minority Caucus chose not to participate in some of this process and provide input, which was their decision. He added that while redistricting is the public's business, he does not believe it is the Mayor's. He said that the public has been allowed input for more than three weeks to analyze changes. He said that the Committee has followed the rules and kept the process open and honest.

Proposal No. 434, 2002, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 434, 2002, as amended, was retitled GENERAL ORDINANCE NO. 93, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 2002

A GENERAL ORDINANCE amending Chapter 152 of the Revised Code concerning council district boundaries.

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

SECTION 1. Chapter 152 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by adopting a new Chapter 152 to read as follows:

CHAPTER 152

COUNCIL DISTRICT BOUNDARIES

ARTICLE I. DISTRICTS ESTABLISHED

**Sec. 152-101. Districts.** Pursuant to IC 36-3-4-2 and IC 36-3-4-3, the City-County Council consists of twenty-nine (29) members, four (4) of which are elected at large and twenty-five (25) of which are elected from single member districts.

**Sec. 152-102. At large districts.** Four (4) members of the City-County Council shall be elected from an electoral district that consists of all of Marion County, Indiana, and each voter of the county may vote for four (4) at large candidates.

**Sec. 152-103. Single member districts.** The county is divided into twenty-five (25) single member districts, from each of which one member shall be elected by the voters in that district. The boundaries of each district are set forth in Secs. 152-201 through 152-226 Article II of this chapter.

ARTICLE II. SINGLE MEMBER DISTRICT BOUNDARIES

**Sec. 152-201. First district.**

The first council district shall include and be composed of the territory within the following county precincts:

Pike Precinct 4, Pike Precinct 8, Pike Precinct 9, Pike Precinct 14, Pike Precinct 20, Pike Precinct 27, Pike Precinct 28, Pike Precinct 29, Pike Precinct 34, Pike Precinct 35, Pike Precinct 36, Pike Precinct 37, Pike Precinct 40, Pike Precinct 41, Pike Precinct 52, Pike Precinct 53, Pike Precinct 55, Washington Precinct 10, Washington Precinct 22, Washington Precinct 26, Washington Precinct 33, Washington Precinct 34, Washington Precinct 46, Washington Precinct 53, Washington Precinct 59, Washington Precinct 63, Washington Precinct 64, Washington Precinct 65, Washington Precinct 66, Washington Precinct 67, Washington Precinct 68, Washington Precinct 69, Washington Precinct 73, Washington Precinct 74, Washington Precinct 79, Washington Precinct 80, Washington Precinct 85, Washington Precinct 91,

Washington Precinct 92, Washington Precinct 107, Washington Precinct 109, Washington Precinct 113, Washington Precinct 47

**Sec. 152-202. Second district.**

The second council district shall include and be composed of the territory within the following county precincts:

Pike Precinct 1, Pike Precinct 2, Pike Precinct 3, Pike Precinct 5, Pike Precinct 6, Pike Precinct 12, Pike Precinct 15, Pike Precinct 17, Pike Precinct 18, Pike Precinct 19, Pike Precinct 21, Pike Precinct 22, Pike Precinct 23, Pike Precinct 26, Pike Precinct 32, Pike Precinct 33, Pike Precinct 38, Pike Precinct 43, Pike Precinct 44, Pike Precinct 45, Pike Precinct 46, Pike Precinct 49, Pike Precinct 54, Pike Precinct 56, Pike Precinct 57, Pike Precinct 59, Pike Precinct 60, Washington Precinct 20, Washington Precinct 23, Washington Precinct 71, Wayne Precinct 34, Wayne Precinct 70

**Sec. 152-203. Third district.**

The third council district shall include and be composed of the territory within the following county precincts:

Ward 21 Precinct 3, Ward 21 Precinct 6, Ward 21 Precinct 7, Ward 21 Precinct 10, Ward 21 Precinct 13, Ward 21 Precinct 14, Ward 21 Precinct 15, Ward 21 Precinct 16, Ward 21 Precinct 17, Ward 21 Precinct 18, Ward 21 Precinct 20, Ward 21 Precinct 22, Ward 21 Precinct 23, Lawrence Precinct 27, Lawrence Precinct 43, Lawrence Precinct 47, Lawrence Precinct 70, Lawrence Precinct 71, Lawrence Precinct 72, Lawrence Precinct 73, Lawrence Precinct 74, Lawrence Precinct 86, Washington Precinct 1, Washington Precinct 9, Washington Precinct 11, Washington Precinct 15, Washington Precinct 16, Washington Precinct 18, Washington Precinct 21, Washington Precinct 35, Washington Precinct 42, Washington Precinct 44, Washington Precinct 52, Washington 54, Washington Precinct 56, Washington Precinct 57, Washington Precinct 58, Washington Precinct 70, Washington Precinct 75, Washington Precinct 76, Washington Precinct 77, Washington Precinct 81, Washington Precinct 90, Washington Precinct 94, Washington Precinct 97, Washington Precinct 111

**Sec. 152-204. Fourth district.**

The fourth council district shall include and be composed of the territory within the following county precincts:

Lawrence Precinct 2, Lawrence Precinct 3, Lawrence Precinct 5, Lawrence Precinct 7, Lawrence Precinct 8, Lawrence Precinct 10, Lawrence Precinct 12, Lawrence Precinct 14, Lawrence Precinct 17, Lawrence Precinct 21, Lawrence Precinct 22, Lawrence Precinct 24, Lawrence Precinct 26, Lawrence Precinct 28, Lawrence Precinct 31, Lawrence Precinct 34, Lawrence 35, Lawrence Precinct 37, Lawrence Precinct 38, Lawrence Precinct 39, Lawrence Precinct 40, Lawrence Precinct 44, Lawrence Precinct 45, Lawrence Precinct 48, Lawrence Precinct 49, Lawrence Precinct 52, Lawrence Precinct 62, Lawrence Precinct 63, Lawrence Precinct 64, Lawrence Precinct 65, Lawrence Precinct 68, Lawrence Precinct 75, Lawrence Precinct 77, Lawrence Precinct 79, Lawrence Precinct 80, Lawrence Precinct 83, Lawrence Precinct 87, Lawrence Precinct 90, Washington Precinct 32, Washington Precinct 78

**Sec. 152-205. Fifth district.**

The fifth council district shall include and be composed of the territory within the following county precincts:

Ward 27 Precinct 15, Ward 27 Precinct 23, Lawrence Precinct 6, Lawrence Precinct 11, Lawrence Precinct 16, Lawrence Precinct 20, Lawrence Precinct 23, Lawrence Precinct 25, Lawrence Precinct 29, Lawrence Precinct 30, Lawrence Precinct 32, Lawrence Precinct 33, Lawrence Precinct 36, Lawrence Precinct 46, Lawrence Precinct 50, Lawrence Precinct 51, Lawrence 53, Lawrence Precinct 54, Lawrence Precinct 57, Lawrence Precinct 58, Lawrence Precinct 59, Lawrence Precinct 66, Lawrence Precinct 76, Lawrence Precinct 78, Lawrence Precinct 81, Lawrence Precinct 82, Lawrence Precinct 84, Lawrence Precinct 85, Lawrence Precinct 88, Lawrence Precinct 67

**Sec. 152-206. Sixth district.**

The sixth council district shall include and be composed of the territory within the following county precincts:

Center Ward 4 Precinct 2, Center Ward 4 Precinct 3, Center Ward 4 Precinct 4, Center Ward 4 Precinct 9, Center Ward 5 Precinct 3, Center Ward 5 Precinct 4, Center Ward 5 Precinct 9, Center Ward 5 Precinct 11, Ward 20 Precinct 1, Ward 20 Precinct 5, Ward 20 Precinct 7, Ward 20 Precinct 8, Ward 20 Precinct 9, Ward 20 Precinct 10, Ward 20 Precinct 11, Ward 20 Precinct 12, Ward 20 Precinct 13, Ward 20 Precinct 14, Ward 20 Precinct 15, Ward 20 Precinct 16, Ward 20 Precinct 17, Ward 20 Precinct 18, Ward 20 Precinct 19, Pike Precinct 13, Washington Precinct 4, Washington Precinct 8, Washington Precinct 14, Washington Precinct 19, Washington Precinct 24, Washington Precinct 30, Washington Precinct 49, Washington Precinct 50, Washington Precinct 51, Washington Precinct 60, Washington Precinct 82, Washington Precinct 83, Washington Precinct 108, Washington Precinct 112

**Sec. 152-207. Seventh district.**

The seventh council district shall include and be composed of the territory within the following county precincts:

Ward 21 Precinct 1, Ward 21 Precinct 2, Ward 21 Precinct 4, Ward 21 Precinct 5, Ward 21 Precinct 8, Ward 21 Precinct 9, Ward 21 Precinct 11, Ward 21 Precinct 12, Ward 21 Precinct 19, Ward 21 Precinct 24, Washington Precinct 2, Washington Precinct 3, Washington Precinct 6, Washington Precinct 7, Washington Precinct 12, Washington Precinct 13, Washington Precinct 25, Washington Precinct 27, Washington Precinct 28, Washington Precinct 29, Washington Precinct 31, Washington Precinct 37, Washington Precinct 38, Washington Precinct 41, Washington Precinct 43, Washington Precinct 45, Washington Precinct 48, Washington Precinct 55, Washington Precinct 61, Washington Precinct 62, Washington Precinct 72, Washington Precinct 84, Washington Precinct 86, Washington Precinct 87, Washington Precinct 88, Washington Precinct 89, Washington Precinct 93, Washington Precinct 96, Washington Precinct 98, Washington Precinct 101, Washington Precinct 102, Washington Precinct 103, Washington Precinct 104, Washington Precinct 105, Washington Precinct 106, Washington Precinct 110, Washington Precinct 114, Pike Precinct 48

**Sec. 152-208. Eighth district.**

The eighth council district shall include and be composed of the territory within the following county precincts:

Ward 19 Precinct 6, Ward 19 Precinct 7, Ward 19 Precinct 8, Wayne Precinct 1, Wayne Precinct 2, Wayne Precinct 4, Wayne Precinct 5, Wayne Precinct 9, Wayne Precinct 17, Wayne Precinct 18, Wayne Precinct 25, Wayne Precinct 26, Wayne Precinct 27, Wayne Precinct 28, Wayne Precinct 29, Wayne Precinct 31, Wayne Precinct 32, Wayne Precinct 33, Wayne Precinct 38, Wayne Precinct 39, Wayne Precinct 40, Wayne Precinct 43, Wayne Precinct 46, Wayne Precinct 47, Wayne Precinct 48, Wayne Precinct 50, Wayne Precinct 51, Wayne Precinct 55, Wayne Precinct 60, Wayne Precinct 61, Wayne Precinct 64, Wayne Precinct 66, Wayne Precinct 69, Wayne Precinct 72, Wayne Precinct 80, Wayne Precinct 87, Wayne Precinct 57

**Sec. 152-209. Ninth district.**

The ninth council district shall include and be composed of the territory within the following county precincts:

Ward 28 Precinct 11, Ward 28 Precinct 19, Ward 28 Precinct 23, Lawrence Precinct 1, Lawrence Precinct 13, Lawrence Precinct 42, Lawrence Precinct 56, Lawrence Precinct 60, Lawrence Precinct 89, Warren Precinct 2, Warren Precinct 7, Warren Precinct 14, Warren Precinct 15, Warren Precinct 17, Warren Precinct 18, Warren Precinct 21, Warren Precinct 22, Warren Precinct 23, Warren Precinct 24, Warren Precinct 33, Warren Precinct 35, Warren Precinct 36, Warren Precinct 37, Warren Precinct 38, Warren Precinct 39, Warren Precinct 41, Warren Precinct 42, Warren Precinct 43, Warren Precinct 50, Warren Precinct 51, Warren Precinct 54, Warren Precinct 56, Lawrence Precinct 55

**Sec. 152-210. Tenth district.**

The tenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 4 Precinct 10, Ward 20 Precinct 2, Ward 20 Precinct 3, Ward 20 Precinct 4, Ward 20 Precinct 6, Ward 21 Precinct 21, Ward 22 Precinct 1, Ward 22 Precinct 2, Ward 22 Precinct 3, Ward 22 Precinct 4, Ward 22 Precinct 5, Ward 22 Precinct 6, Ward 22 Precinct 7, Ward 22 Precinct 8, Ward 22 Precinct 9, Ward 22 Precinct 10, Ward 22 Precinct 11, Ward 22 Precinct 12, Ward 22 Precinct 13, Ward 22 Precinct 14, Center Ward 23 Precinct 2, Center Ward 23 Precinct 6, Ward 27 Precinct 2, Ward 27 Precinct 4, Ward 27 Precinct 6, Ward 27 Precinct 9, Ward 27 Precinct 11, Ward 27 Precinct 12, Ward 27 Precinct 17, Ward 27 Precinct 25, Ward 27 Precinct 26, Ward 27 Precinct 28, Ward 31 Precinct 1, Ward 31 Precinct 2, Ward 31 Precinct 4,



Ward 31 Precinct 6, Ward 31 Precinct 7, Ward 31 Precinct 8, Lawrence Precinct 4, Lawrence Precinct 9, Lawrence Precinct 15, Lawrence Precinct 18, Lawrence Precinct 19, Lawrence Precinct 41, Lawrence 91, Washington Precinct 5, Washington Precinct 17, Washington Precinct 39, Washington Precinct 40

**Sec. 152-211. Eleventh district.**

The eleventh council district shall include and be composed of the territory within the following county precincts:

Ward 27 Precinct 1, Ward 27 Precinct 3, Ward 27 Precinct 5, Ward 27 Precinct 7, Ward 27 Precinct 8, Ward 27 Precinct 10, Ward 27 Precinct 13, Ward 27 Precinct 14, Ward 27 Precinct 16, Ward 27 Precinct 18, Ward 27 Precinct 19, Ward 27 Precinct 20, Ward 27 Precinct 21, Ward 27 Precinct 22, Ward 27 Precinct 24, Ward 27 Precinct 29, Ward 27 Precinct 30, Ward 28 Precinct 14, Ward 28 Precinct 15, Ward 28 Precinct 17, Ward 28 Precinct 18, Ward 28 Precinct 21, Ward 28 Precinct 22, Ward 28 Precinct 26, Ward 28 Precinct 27, Ward 28 Precinct 29, Warren Precinct 20, Warren Precinct 34, Warren Precinct 47, Warren Precinct 48, Warren Precinct 49, Warren Precinct 57, Warren Precinct 59

**Sec. 152-212. Twelfth district.**

The twelfth council district shall include and be composed of the territory within the following county precincts:

Ward 18 Precinct 1, Ward 18 Precinct 3, Ward 18 Precinct 10, Ward 18 Precinct 11, Ward 18 Precinct 12, Ward 18 Precinct 13, Ward 18 precinct 14, Ward 28 Precinct 3, Ward 28 Precinct 4, Ward 28 Precinct 9, Ward 28 Precinct 20, Ward 28 Precinct 25, Ward 28 Precinct 28, Franklin Precinct 1, Franklin Precinct 6, Franklin Precinct 8, Franklin Precinct 9, Franklin Precinct 12, Franklin Precinct 20, Warren Precinct 1, Warren Precinct 3, Warren Precinct 4, Warren Precinct 5, Warren Precinct 6, Warren Precinct 8, Warren Precinct 9, Warren Precinct 10, Warren Precinct 13, Warren Precinct 19, Warren Precinct 25, Warren Precinct 26, Warren Precinct 27, Warren Precinct 30, Warren Precinct 31, Warren Precinct 32, Warren Precinct 45, Warren Precinct 55

**Sec. 152-213. Thirteenth district.**

The thirteenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 9 Precinct 5, Center Ward 9 Precinct 6, Center Ward 9 Precinct 7, Center Ward 9 Precinct 9, Center Ward 9 Precinct 10, Center Ward 9 Precinct 12, Center Ward 9 Precinct 14, Center Ward 9 Precinct 16, Center Ward 10 Precinct 7, Center Ward 16 Precinct 2, Center Ward 16 Precinct 3, Center Ward 16 Precinct 5, Center Ward 16 Precinct 6, Center Ward 16 Precinct 8, Center Ward 16 Precinct 10, Center Ward 16 Precinct 11, Center Ward 17 Precinct 9, Ward 18 precinct 4, Ward 18 Precinct 5, Ward 18 Precinct 6, Ward 18 Precinct 7, Ward 18 Precinct 9, Ward 18 Precinct 15, Center Ward 25 Precinct 1, Center Ward 25 Precinct 2, Center Ward 25 Precinct 3, Center Ward 25 Precinct 4, Center Ward 25 Precinct 6, Center Ward 25 Precinct 7, Center Ward 25 Precinct 8, Center Ward 25 Precinct 9, Center Ward 25 Precinct 10, Center Ward 25 Precinct 11, Center Ward 25 Precinct 12, Center Ward 25 Precinct 13, Center Ward 25 Precinct 14, Ward 28 Precinct 1, Ward 28 Precinct 2

**Sec. 152-214. Fourteenth district.**

The fourteenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 2 Precinct 1, Center Ward 2 Precinct 7, Center Ward 2 Precinct 8, Center Ward 3 Precinct 1, Center Ward 3 Precinct 2, Center Ward 3 Precinct 3, Center Ward 3 Precinct 4, Center Ward 3 Precinct 5, Center Ward 3 Precinct 6, Center Ward 3 Precinct 7, Center Ward 3 Precinct 8, Center Ward 4 Precinct 1, Center Ward 4 Precinct 5, Center Ward 4 Precinct 7, Center Ward 4 Precinct 8, Center Ward 5 Precinct 12, Center Ward 7 Precinct 1, Center Ward 7 Precinct 2, Center Ward 7 Precinct 3, Ward 7 precinct 4, Center Ward 7 Precinct 6, Center Ward 8 Precinct 1, Center Ward 8 Precinct 2, Center Ward 8 Precinct 3, Center Ward 8 Precinct 4, Center Ward 8 Precinct 5, Center Ward 10 Precinct 1, Center Ward 10 Precinct 3, Center Ward 10 Precinct 4, Center Ward 10 Precinct 8, Center Ward 10 Precinct 9, Center Ward 10 Precinct 10, Center Ward 11 Precinct 3, Center Ward 23 Precinct 1, Center Ward 23 Precinct 3, Center Ward 23 Precinct 4, Center Ward 23 Precinct 5, Center Ward 23 Precinct 7, Center Ward 23 Precinct 8, Center Ward 23 Precinct 9, Center Ward 23 Precinct 10, Center Ward 23 Precinct 11, Center Ward 23 Precinct 12, Center Ward 23 Precinct 13

**Sec. 152-215. Fifteenth district.**

The fifteenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 1 Precinct 1, Center Ward 1 Precinct 2, Center Ward 1 Precinct 3, Center Ward 1 Precinct 4, Center Ward 1 Precinct 5, Center Ward 1 Precinct 6, Center Ward 1 Precinct 7, Center Ward 1 Precinct 9, Center Ward 1 Precinct 10, Center Ward 1 Precinct 12, Center Ward 1 Precinct 13, Center Ward 1 Precinct 14, Center Ward 1 Precinct 15, Center Ward 1 Precinct 16, Center Ward 1 Precinct 17, Center Ward 2 Precinct 2, Center Ward 2 Precinct 3, Center Ward 2 Precinct 4, Center Ward 2 Precinct 9, Center Ward 2 Precinct 10, Center Ward 2 Precinct 11, Center Ward 9 Precinct 1, Center Ward 9 Precinct 2, Center Ward 9 Precinct 3, Center Ward 9 Precinct 11, Center Ward 9 Precinct 15, Ward 28 Precinct 5, Ward 28 Precinct 6, Ward 28 Precinct 7, Ward 28 Precinct 8, Ward 28 Precinct 10, Ward 28 Precinct 12, Ward 28 Precinct 13, Ward 28 Precinct 24, Ward 28 Precinct 30, Ward 31 Precinct 3, Ward 31 Precinct 5, Ward 31 Precinct 10, Warren Precinct 11

**Sec. 152-216. Sixteenth district.**

The sixteenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 14 Precinct 2, Center Ward 14 Precinct 4, Center Ward 14 Precinct 5, Center Ward 14 Precinct 6, Ward 19 Precinct 9, Ward 24 Precinct 1, Ward 24 Precinct 4, Ward 24 Precinct 5, Ward 24 Precinct 6, Ward 24 Precinct 7, Decatur Precinct 3, Decatur Precinct 5, Decatur Precinct 10, Decatur Precinct 13, Decatur Precinct 14, Perry Precinct 6, Perry Precinct 29, Perry Precinct 65, Perry Precinct 69, Perry Precinct 78, Wayne Precinct 6, Wayne Precinct 7, Wayne Precinct 8, Wayne Precinct 13, Wayne Precinct 14, Wayne Precinct 15, Wayne Precinct 16, Wayne Precinct 24, Wayne Precinct 30, Wayne Precinct 41

**Sec. 152-217. Seventeenth district.**

The seventeenth council district shall include and be composed of the territory within the following county precincts:

Center Ward 4 Precinct 6, Center Ward 5 Precinct 1, Center Ward 5 Precinct 2, Center Ward 5 Precinct 5, Center Ward 5 Precinct 6, Center Ward 5 Precinct 8, Center Ward 5 Precinct 10, Center Ward 6 Precinct 1, Center Ward 6 Precinct 3, Center Ward 6 Precinct 4, Center Ward 6 Precinct 10, Ward 29 Precinct 16, Ward 29 Precinct 23, Ward 29 Precinct 29, Ward 29 Precinct 30, Center Ward 32 Precinct 1, Ward 32 Precinct 2, Center Ward 32 Precinct 3, Center Ward 32 Precinct 4, Pike Precinct 7, Pike Precinct 10, Pike Precinct 11, Pike Precinct 16, Pike Precinct 24, Pike Precinct 25, Pike Precinct 30, Pike Precinct 39, Pike Precinct 42, Pike Precinct 47, Pike Precinct 50, Pike Precinct 51, Pike Precinct 58, Washington Precinct 36

**Sec. 152-218. Eighteenth district.**

The eighteenth council district shall include and be composed of the territory within the following county precincts:

Ward 29 Precinct 12, Ward 29 Precinct 13, Ward 29 Precinct 19, Ward 29 Precinct 20, Ward 29 Precinct 28, Pike Precinct 31, Wayne Precinct 3, Wayne Precinct 21, Wayne Precinct 22, Wayne Precinct 23, Wayne Precinct 37, Wayne Precinct 44, Wayne Precinct 45, Wayne Precinct 53, Wayne Precinct 54, Wayne Precinct 59, Wayne Precinct 62, Wayne Precinct 65, Wayne Precinct 67, Wayne Precinct 71, Wayne Precinct 74, Wayne Precinct 77, Wayne Precinct 79, Wayne Precinct 82, Wayne Precinct 83, Wayne Precinct 84, Wayne Precinct 85, Wayne Precinct 86, Wayne Precinct 88

**Sec. 152-219. Nineteenth district.**

The nineteenth council district shall include and be composed of the territory within the following county precincts:

Decatur Precinct 1, Decatur Precinct 2, Decatur Precinct 4, Decatur Precinct 6, Decatur Precinct 7, Decatur Precinct 8, Decatur Precinct 9, Decatur Precinct 11, Decatur Precinct 12, Decatur Precinct 15, Decatur Precinct 16, Decatur Precinct 17, Decatur Precinct 18, Decatur Precinct 19, Decatur Precinct 20, Wayne Precinct 10, Wayne Precinct 11, Wayne Precinct 12, Wayne Precinct 19, Wayne Precinct 20, Wayne Precinct 35, Wayne Precinct 36, Wayne Precinct 49, Wayne Precinct 52, Wayne Precinct 56, Wayne Precinct 63, Wayne Precinct 68, Wayne Precinct 73, Wayne Precinct 76, Wayne Precinct 81

**Sec. 152-220. Twentieth district.**

The twentieth council district shall include and be composed of the territory within the following county precincts:

Center Ward 26 Precinct 1, Center Ward 26 Precinct 2, Center Ward 26 Precinct 4, Center Ward 26 Precinct 5, Center Ward 26 Precinct 6, Center Ward 26 Precinct 7, Center Ward 26 Precinct 8, Center Ward 30 Precinct 2, Center Ward 30 Precinct 3, Center Ward 30 Precinct 4, Center Ward 30 Precinct 5, Center Ward 30 Precinct 6, Center Ward 30 Precinct 7, Center Ward 30 Precinct 8, Perry Precinct 3, Perry Precinct 7, Perry Precinct 9, Perry Precinct 10, Perry Precinct 17, Perry Precinct 18, Perry Precinct 19, Perry Precinct 20, Perry Precinct 21, Perry Precinct 26, Perry Precinct 30, Perry Precinct 32, Perry Precinct 40, Perry Precinct 41, Perry Precinct 47, Perry Precinct 48, Perry Precinct 51, Perry Precinct 52, Perry Precinct 55, Perry Precinct 61, Perry Precinct 62, Perry Precinct 64, Perry Precinct 68, Perry Precinct 82

**Sec. 152-221. Twenty-first district.**

The twenty-first council district shall include and be composed of the territory within the following county precincts:

Center Ward 5 Precinct 7, Center Ward 6 Precinct 2, Center Ward 6 Precinct 5, Center Ward 6 Precinct 6, Center Ward 6 Precinct 7, Center Ward 6 Precinct 8, Center Ward 6 Precinct 9, Center Ward 6 Precinct 11, Center Ward 12 Precinct 1, Ward 19 Precinct 1, Ward 19 Precinct 2, Ward 19 Precinct 3, Ward 19 Precinct 4, Ward 19 Precinct 5, Ward 19 Precinct 10, Ward 19 Precinct 11, Ward 19 Precinct 12, Ward 24 Precinct 2, Ward 24 Precinct 3, Ward 29 Precinct 1, Ward 29 Precinct 2, Ward 29 Precinct 3, Ward 29 Precinct 4, Ward 29 Precinct 5, Ward 29 Precinct 6, Ward 29 Precinct 7, Ward 29 Precinct 8, Ward 29 Precinct 9, Ward 29 Precinct 10, Ward 29 Precinct 11, Ward 29 Precinct 14, Ward 29 Precinct 15, Ward 29 Precinct 17, Ward 29 Precinct 21, Ward 29 Precinct 22, Ward 29 Precinct 24, Ward 29 Precinct 25, Ward 29 Precinct 26, Ward 29 Precinct 27, Ward 29 Precinct 31, Ward 29 Precinct 33

**Sec. 152-222. Twenty-second district.**

The twenty-second council district shall include and be composed of the territory within the following county precincts:

Center Ward 10 Precinct 2, Center Ward 10 Precinct 5, Center Ward 10 Precinct 6, Center Ward 11 Precinct 1, Center Ward 11 Precinct 2, Center Ward 11 Precinct 4, Center Ward 11 Precinct 5, Center Ward 12 Precinct 2, Center Ward 12 Precinct 3, Center Ward 12 Precinct 4, Center Ward 12 Precinct 5, Center Ward 13 Precinct 1, Center Ward 13 Precinct 2, Center Ward 13 Precinct 4, Center Ward 13 Precinct 5, Center Ward 13 Precinct 7, Center Ward 13 Precinct 9, Center Ward 13 Precinct 11, Center Ward 13 Precinct 12, Center Ward 15 Precinct 1, Center Ward 15 Precinct 2, Center Ward 15 Precinct 3, Center Ward 16 Precinct 1, Center Ward 16 Precinct 4, Center Ward 16 Precinct 7, Center Ward 17 Precinct 1, Center Ward 17 Precinct 2, Center Ward 17 Precinct 3, Center Ward 17 Precinct 5, Center Ward 17 Precinct 6, Center Ward 30 Precinct 1, Center Ward 30 Precinct 10, Center Ward 30 Precinct 12

**Sec. 152-223. Twenty-third district.**

The twenty-third council district shall include and be composed of the territory within the following county precincts:

Center Ward 17 Precinct 7, Center Ward 17 Precinct 8, Center Ward 17 Precinct 11, Ward 18 Precinct 2, Ward 18 Precinct 8, Center Ward 30 Precinct 9, Franklin Precinct 2, Franklin Precinct 3, Franklin Precinct 4, Franklin Precinct 5, Franklin Precinct 10, Franklin Precinct 11, Franklin Precinct 13, Franklin Precinct 14, Franklin Precinct 15, Franklin Precinct 16, Franklin Precinct 17, Franklin Precinct 18, Franklin Precinct 19, Franklin Precinct 22, Franklin Precinct 23, Franklin Precinct 24, Franklin Precinct 25, Franklin Precinct 26, Warren Precinct 12, Warren Precinct 28, Warren Precinct 29, Center Outside Precinct 3, Center Outside Precinct 4

**Sec. 152-224. Twenty-fourth district.**

The twenty-fourth council district shall include and be composed of the territory within the following county precincts:

Center Outside 1, Center Outside 2, Franklin Precinct 7, Franklin Precinct 21, Perry Precinct 2, Perry Precinct 8, Perry Precinct 11, Perry Precinct 12, Perry Precinct 16, Perry Precinct 23, Perry Precinct 24, Perry Precinct 25, Perry Precinct 31, Perry Precinct 38, Perry Precinct 39, Perry Precinct 45, Perry Precinct 46, Perry Precinct 49, Perry Precinct 50, Perry Precinct 53, Perry Precinct 63, Perry Precinct 67, Perry Precinct 71,



Perry Precinct 72, Perry Precinct 73, Perry Precinct 77, Perry Precinct 83, Perry Precinct 85, Perry Precinct 1, Perry Precinct 42

**Sec. 152-225. Twenty-fifth district.**

The Twenty-fifth council district shall include and be composed of the territory within the following county precincts:

Center Ward 13 Precinct 6, Center Ward 13 Precinct 8, Center Ward 13 Precinct 10, Center Ward 13 Precinct 13, Center Ward 17 Precinct 4, Center Ward 17 Precinct 10, Center Ward 26 Precinct 3, Center Ward 30 Precinct 11, Perry Precinct 4, Perry Precinct 5, Perry Precinct 13, Perry Precinct 14, Perry Precinct 15, Perry Precinct 22, Perry Precinct 27, Perry Precinct 28, Perry Precinct 33, Perry Precinct 34, Perry Precinct 35, Perry Precinct 36, Perry Precinct 37, Perry Precinct 43, Perry Precinct 44, Perry Precinct 54, Perry Precinct 56, Perry Precinct 57, Perry Precinct 58, Perry Precinct 59, Perry Precinct 66, Perry Precinct 70, Perry Precinct 74, Perry Precinct 75, Perry Precinct 76, Perry Precinct 79, Perry Precinct 80, Perry Precinct 84, Perry Precinct 86

**ARTICLE III. ADOPTION AND INTERPRETATION**

**Sec. 152-301. Exhibits.**

The map or maps filed in connection with the submission of the districting plan adopted as Article II of this Chapter shall be marked by the clerk as "Proposal No. 434, 2002; Exhibit A" and retained with the permanent records of the ordinance adopting this article.

**Sec. 152-302. Rules of construction.**

(a) Any discrepancies or conflicts between the geographic boundaries of the precincts and the boundaries of the census voting districts and any omission or duplicate assignment of any territory shall be resolved by reference to the exhibit referenced in section 152-301 or to the rules of construction stated in this section.

(b) The districts in Article II of this Chapter shall be construed so as to include all of the territory of the county within one (1), but only one (1), of the districts established by this article.

(c) Article II of this Chapter shall be construed so as to exclude from all districts any territory not located in the county.

(d) Any territory in the county which is omitted from a district shall be deemed to be included either (i) in the district that surrounds it if there be one or, (ii) if contiguous to two (2) or more districts, in the contiguous district that otherwise has the lowest total population.

(e) Any territory which is included in more than one (1) district shall be deemed included only in either (i) the district whose boundaries surround it or (ii) in the contiguous district which otherwise has the lowest total population.

**Sec. 152-303. Reservations.**

The council reserves the right to amend or revise the descriptions of the districts set forth in Article II of this Chapter to correct any errors, duplications or omissions in the descriptions, to conform to any corrections or revisions of the census data hereafter made by the U.S. Bureau of Census, to comply with any valid court order respecting this article, or for any other lawful purpose.

**Sec. 152-304.** This Chapter shall be in full force and effect for the election in the year 2003 and thereafter, upon passage of this ordinance by the City-County Council pursuant to IC 36-3-4-3.

**SECTION 2.** Secs. 152-1 through 152-34 of the Revised Code in effect upon the date of passage of this ordinance shall be repealed effective December 31, 2002, except that the districts established by Secs. 152-21 through 152-26 shall continue for purposes of filling any vacancies that may occur prior to December 31, 2003.

**PROPOSAL NO. 441, 2002.** Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 441, 2002 on September 23, 2002. The proposal, sponsored by Councillor Knox, designates White River Parkway, West Drive, from Washington Street to New

York Street, including the New York Street Bridge, as the E.B. Kelley Memorial Parkway and Bridge. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Knox said that Mr. Kelley deserves this recognition for all the great things that he has done for that community, and the neighborhood is still in need of a community center. He said that he has tried to work with three different mayors to get a community center in that neighborhood and has still not been successful. President SerVaas said that Councillor Knox has somewhat stepped into Mr. Kelley's shoes to enrich his community. Councillor Knox invited everyone to come to the dedication ceremony once a date and time is established.

As per Councillor Smith's request for a public hearing, President SerVaas called for public testimony at 9:32 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Knox, for adoption. Proposal No. 441, 2002 was adopted on the following roll call vote; viz:

*29 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, Talley, Tilford*  
*0 NAYS:*

Proposal No. 441, 2002 was retitled SPECIAL RESOLUTION NO. 61, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 2002

A SPECIAL RESOLUTION designating White River Parkway, West Drive, from Washington Street to New York Street, including the New York Street Bridge, as the E.B. Kelley Memorial Parkway and Bridge.

WHEREAS, Everette B. (E.B.) Kelley was Director of the Lauter Boys Club for 41 years, from 1928 to 1969, only taking four years off to serve in the Army during W.W. II; and

WHEREAS, Mr. Kelley taught discipline and brought order to the lives of boys who came from some of the city's largest families and neediest neighborhoods known as Stringtown, Rivertown, Hawthorne and West Indianapolis; and

WHEREAS; the Club was originally donated in 1913 as a memorial to their father by the daughters of Herman B. Lauter, but over the years the expansion of IUPUI and commercial development changed the residential character of the neighborhood, and the Club now is a part of the Indianapolis Zoo; and

WHEREAS, E.B. Kelley touched the lives of an estimated 40,000 boys during his four decade tenure, including Butler University's All-American basketball player Ralph "Buckshot" O'Brien who credited Kelley with giving him direction as a youth; and

WHEREAS, during the years of the Great Depression, a half century before the full integration of the boys and girls clubs, Kelley welcomed girls to the Club two nights a week and on Saturday afternoons to watch movies, play basketball and enjoy group activities just like the boys; 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 does hereby honor the memory of Everette B. (E.B.) Kelley, longtime Director of the Lauter Boys Club, molder of young lives, and role model, by designating White River Parkway, West Drive, from Washington Street to New York Street, including the New York Street Bridge, as the E.B. Kelley Memorial Parkway and Bridge.

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

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

PROPOSAL NO. 443, 2002. Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal No. 443, 2002 on September 19, 2002. The proposal, sponsored by Councillors Cockrum and Gray, approves a transfer totaling \$40,000 in the 2002 Budget of the Department of Parks and Recreation (Park General Fund) to demolish the clubhouse at Smock Golf Course. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cockrum moved, seconded by Councillor Gray, for adoption. Proposal No. 443, 2002 was adopted on the following roll call vote; viz:

28 YEAS: Bainbridge, 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  
0 NAYS:  
1 NOT VOTING: Black

Proposal No. 443, 2002 was retitled FISCAL ORDINANCE NO. 114, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) transferring and appropriating Forty Thousand Dollars (\$40,000) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (l) 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 Parks and Recreation to demolish the clubhouse at Smock Golf Course.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	<u>40,000</u>
TOTAL INCREASE	40,000

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	<u>40,000</u>
TOTAL DECREASE	40,000

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

PROPOSAL NO. 452, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 452, 2002 on September 18, 2002. The proposal, sponsored by Councillor Dowden, approves a transfer of \$180,000 in the 2002 Budget of the Marion County Superior Court (County General Fund) to pay for outsourcing contracts and law library books. By a 9-0 vote, the Committee reported the proposal to the Council with the



recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 452, 2002 was adopted on the following roll call vote, viz:

29 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, Talley, Tilford  
0 NAYS:

Proposal No. 452, 2002, as amended, was retitled FISCAL ORDINANCE NO. 115, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No.97, 2001) transferring and appropriating an additional One Hundred Eighty Thousand Dollars (\$180,000) in the County General Fund for purposes of the Marion County Superior Court and reducing certain other appropriations from that court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.(j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for outsourcing contractual services and law library books.

SECTION 2. The sum of One Hundred Eighty Thousand Dollars (\$180,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	140,000
4. Capital Outlay	<u>40,000</u>
TOTAL INCREASE	180,000

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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>180,000</u>
TOTAL DECREASE	180,000

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

**NEW BUSINESS**

Councillor Boyd moved to strike Proposal No. 381, 2002, as the proposal is no longer relevant. PROPOSAL NO. 381, 2002. The proposal, sponsored by Councillors Boyd, Short, Moriarty Adams, Talley, and Douglas, expands the police special service district to include all the territory of the Consolidated City, and to create an "old city limits district" comprised of the territory of the former police special service district, and to make corresponding technical amendments to numerous provisions of the Revised Code. Councillor Talley seconded the motion, and Proposal No. 381, 2002 was stricken by a unanimous voice vote.

PROPOSAL NO. 458, 2002. The proposal, sponsored by Councillors Coughenour and Moriarty Adams, authorizes the Department of Public Works, Office of Environmental Services, to apply for grant assistance from the Indiana Department of Environmental Management to continue the

City's participation in the statewide Mercury Awareness Program as a regional hub site. Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 458, 2002 was adopted on the following roll call vote; viz:

29 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, Talley, Tilford*  
0 NAYS:

Proposal No. 458, 2002 was retitled SPECIAL RESOLUTION NO. 65, 2002, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 2002

PROPOSAL FOR A SPECIAL RESOLUTION authorizing the Department of Public Works, Office of Environmental Services to apply for grant assistance from the Indiana Department of Environmental Management to continue the City's participation in the statewide Mercury Awareness Program as a regional hub site.

WHEREAS the City-County Council of Indianapolis, Marion County, Indiana is the County legislative body and is by law authorized to adopt ordinances and resolutions concerning governmental and internal affairs of Marion County, Indiana; and

WHEREAS the City-County Council of Indianapolis, Marion County, Indiana has consistently demonstrated support for environmental programs which show an interest in protecting the environmental health of the residents of Marion County;

WHEREAS, IC 13-20-20-3 (b)(6) requires a resolution authorizing the project and the grant request; now therefore:

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

SECTION 1. The City-County Council hereby authorizes the grant request and the continued participation of the Department of Public Works' Office of Environmental Services in the Mercury Awareness Program as a regional hub.

SECTION 2. The Office of Environmental Services intends to carry out all the specific activities listed in the grant.

SECTION 3. The Office of Environmental Services will allow IDEM employees to have access to and inspect the hub facility.

SECTION 4. The Office of Environmental Services commits to maintain appropriate records that document all expenditures made during the project and submit a final report to IDEM of all project activities, achievements, and problems.

SECTION 5. The Office of Environmental Services will follow a timetable that completes the project within 24 months, agrees to hold established collection events in accordance with the grant application and submit reports on or before the date that IDEM requires them.

SECTION 6. The Office of Environmental Services commits the funding required to complete all portions of the project excluding the grant amount.

SECTION 7. The Council affirms that the City has an existing household collection site and a small quantity generator program and affirms that the City already has an education program that stresses source reduction for household hazardous waste and the substitution of non-hazardous alternatives.

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

PROPOSAL NO. 523, 2002. The proposal, sponsored by Councillor Borst, concerns the division of Marion County into electoral districts. Councillor Borst moved, seconded by Councillor Soards, for adoption.

Councillor Short said that he opposes this proposal, as the Statute allows the Council the authority to pass an ordinance regarding division of the districts, but not the exclusive power to divide the districts. He said that all former redistricting ordinances have been sent to the Mayor for his signature or veto and were therefore subject to the Mayor's approval. He said that this proposal simply sets up the same fight for litigation that would have occurred over Proposal No. 434, 2002 this evening if that language had not been amended out. He said that the only difference is that the former Mayors have been Republicans.

Councillor Sanders said that the Republicans continuously reminded the Democrats during the budget process that the Mayor was the Chief Executive Officer of the County, and he is still such.

Proposal No. 523, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 523, 2002 was retitled COUNCIL RESOLUTION NO. 80, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 2002

A COUNCIL RESOLUTION concerning the division of Marion County in to electoral districts.

WHEREAS, the UNIGOV redistricting statute (Ind. Code § 36-3-4-3) gives the Indianapolis City-County Council the responsibility to divide the Marion County into twenty-five (25) districts; and

WHEREAS, the City-County Council has divided the County into twenty-five (25) districts pursuant to Ind. Code § 36-3-4-3; and

WHEREAS, an election in the twenty-five (25) districts drawn by the City-County Council will be conducted in May, 2003; and

WHEREAS, candidate filings for the May, 2003, primary will begin in January, 2003; and

WHEREAS, the UNIGOV redistricting statute does not describe a role for the Mayor of Indianapolis in the redistricting process; and

WHEREAS, the power of County Commissioners to divide the county into electoral districts is not subject to veto in any county in the State of Indiana; and

WHEREAS, the UNIGOV redistricting statute transferred the redistricting power of the Marion County Commissioners to the City-County Council; and

WHEREAS, no Mayor of the Consolidated City of Indianapolis has ever vetoed a redistricting plan drawn by the City-County Council; and

WHEREAS, no Mayor of the Consolidated City of Indianapolis has ever previously claimed a veto power over a redistricting plan of the City-County Council or involved himself in the redistricting efforts of the City-County Council; and

WHEREAS, the Corporation Counsel of the City of Indianapolis recently testified at a hearing of the Committee on Rules and Public Policy that the Mayor has the authority to veto a redistricting plan drawn by the City-County Council;



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

SECTION 1. It is the sense of the City-County Council that any effort by the Mayor to veto the City-County Council's division of the County into districts would violate more than thirty years of past precedent and practice under the UNIGOV law and would constitute an invalid and improper intrusion into the redistricting responsibility of the City-County Council.

SECTION 2. The President of the City-County Council is authorized to take all necessary and proper actions to defend the City-County Council's division of the County into electoral districts and to see that such division is fully implemented prior to the upcoming municipal elections.

SECTION 3. The President of the City-County Council is authorized to recommend to the Clerk of the Council appropriate legal counsel to undertake any legal action that he may believe is necessary to see that the Council's division of the County into electoral districts is fully implemented prior to the upcoming municipal elections.

Councillor Conley said that Councillor Bradford has challenged him to a gumbo cookoff at the next Council meeting, and the Council will benefit from this challenge by being able to share in the consumption of the contest entries.

Councillor Cockrum said that David Letterman, talk show host and native Indiana resident, has been petitioning that I-465 be named after him. He said that he would encourage the Mayor and the Capital Improvements Board to put together a proposal to instead solicit that Mr. Letterman buy the naming rights for Conseco Fieldhouse.

**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 Knox in memory of Michael Ray Pitcock; and
- (2) Councillor Horseman in memory of Ellen Pitcher; and
- (3) Councillor Talley in memory of Robert L. Ackles, Gladys Trammell, and Delbert Kinchelow; and
- (4) Councillor Soards in memory of Larry Hoover; and
- (5) Councillor Moriarty Adams in memory of William (Bill) McAtee.

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 Michael Ray Pitcock, Ellen Pitcher, Robert L. Ackles, Gladys Trammell, Delbert Kinchelow, Larry Hoover, and William (Bill) McAtee. 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 9:47 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of October 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)