

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

**REGULAR MEETINGS  
MONDAY, NOVEMBER 11, 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 7:09 p.m. on Monday, November 11, 2002, with Vice President Borst presiding.

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

**OATH OF OFFICE**

Suellen Hart, Clerk of the Council, administered the oath of office for new Councillor Sean Frick, who was elected by precinct committeemen to fill the vacancy left by Councillor Beurt SerVaas. Vice President Borst welcomed Councillor Frick as a member of the Council.

**ROLL CALL**

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

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

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

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Smith recognized Indianapolis Police Department (IPD) members who are in attendance this evening asking the City to come back to the bargaining table for negotiations on contracts. Councillor Cockrum thanked the Indianapolis Parks Foundation for the reception they provided for Councillors this evening. He also recognized Carlton Headworth, Advocacy Committee board member. Councillor Massie recognized Senator Larry Borst, his wife Eldoris,

and his daughter Liz. Councillor Schneider introduced Councillor Frick's wife, Tracy. Councillor Bradford recognized Indianapolis Water Company retirees and members of Local 131 Union in attendance this evening to show their support of a proposal that is being introduced tonight regarding the Water Company. Councillor Borst recognized long-time friend and fellow Purdue University graduate, Randy Shield.

## OFFICIAL COMMUNICATIONS

Vice President Borst 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, November 11, 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/Philip Borst  
Vice President, City-County Council

October 29, 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* on Wednesday, October 30, 2002, and in the *Indianapolis Star* on Thursday, October 31, 2002, a copy of a Notice of Public Hearing on Proposal Nos. 456, 525, 528-530, 533, 534, 537, and 538, 2002, said hearing to be held on Monday, November 11, 2002, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Peggy Stawick  
Assistant Clerk of the City-County Council

November 8, 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. 120, 2002 - 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

FISCAL ORDINANCE NO. 121, 2002 - 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

FISCAL ORDINANCE NO. 128, 2002 - 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

November 11, 2002

GENERAL ORDINANCE NO. 94, 2002 - requires that proposals for fiscal ordinances, other than those funded by a grant with no matching funds, must include both the previous year's closing fund balance and a projection of the current year's ending fund balance

GENERAL ORDINANCE NO. 95, 2002 - codifies the salaries of elected and appointed officials and fixes the salaries of county employees for calendar year 2003

GENERAL ORDINANCE NO. 96, 2002 - amends the Deferred Compensation Plan of the City and County

GENERAL ORDINANCE NO. 97, 2002 - authorizes a multi-way stop at 18th Street and Bosart Avenue (District 15)

GENERAL ORDINANCE NO. 98, 2002 - authorizes multi-way stops at Bold Ruler Drive and Foolish Pleasure Lane, and at Crystal Water Drive and First Lady Boulevard (District 23)

GENERAL ORDINANCE NO. 99, 2002 - authorizes multi-way stops at intersections in Arrowhead Estates (District 3)

GENERAL ORDINANCE NO. 100, 2002 - authorizes intersection controls at 76th Street Court (E/W Leg) and 76th Street Court (N/S Leg) (District 3)

GENERAL ORDINANCE NO. 101, 2002 - authorizes intersection controls at 39th Street and Roland Road, and at 39th Street and Rommel Drive (District 2)

GENERAL ORDINANCE NO. 102, 2002 - authorizes intersection controls for the Spring Creek Subdivision (District 9)

GENERAL ORDINANCE NO. 103, 2002 - authorizes a change in intersection controls at 35th Street and Butler Avenue (District 10)

GENERAL ORDINANCE NO. 104, 2002 - authorizes a traffic signal for Madison Avenue, Nelson Avenue, and K-Mart Access Drive (District 20)

GENERAL ORDINANCE NO. 105, 2002 - authorizes a traffic signal for Emerson Avenue at Crystal Flash Entrance located at 4903 South Emerson Avenue (District 23)

GENERAL ORDINANCE NO. 106, 2002 - authorizes a multi-way stop at 12th Street and Sheffield Avenue (District 16)

GENERAL ORDINANCE NO. 107, 2002 - authorizes a multi-way stop at Auburn Street and Oliver Avenue (District 17)

GENERAL ORDINANCE NO. 108, 2002 - authorizes parking restrictions on the north side of 42nd Street, from College Avenue west to the first alley (District 6)

SPECIAL ORDINANCE NO. 6, 2002 - authorizes the transfer of control of Cable Television Franchise from Time Warner Entertainment-Advance Newhouse Partnership to TWEAN Subsidiary, LLC

GENERAL RESOLUTION NO. 11, 2002 - 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

SPECIAL RESOLUTION NO. 66, 2002 - commends Washington Township Schools Superintendent Dr. Eugene G. White for his bold initiative to improve student achievement at North Central High School

SPECIAL RESOLUTION NO. 67, 2002 - concerns the "One Book, One City - Indy's Choice" program

SPECIAL RESOLUTION NO. 68, 2002 - recognizes the 40 years of Council service by Dr. Beurt R. SerVaas

SPECIAL RESOLUTION NO. 69, 2002 - determines the need to lease office space at 251 East Ohio Street for use by the County Prosecutor's office

SPECIAL RESOLUTION NO. 70, 2002 - 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

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 2002 - 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

Respectfully,  
s/Bart Peterson, Mayor

## **ADOPTION OF THE AGENDA**

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

## **APPROVAL OF THE JOURNAL**

Vice President Borst called for additions or corrections to the Journal of October 28, 2002. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 568, 2002. The proposal, sponsored by Councillor Borst, recognizes the outstanding community service of William K. McGowan, Jr. of the Indianapolis Convention and Visitors Association. Mr. McGowan thanked the Council for the recognition. Councillor Boyd said that he once witnessed Mr. McGowan picking up someone else's litter in the middle of the street, and even the small contributions he has made to this City have not gone unnoticed. Councillor Borst moved, seconded by Councillor Boyd, for adoption. Proposal No. 568, 2002 was adopted by a unanimous voice vote.

Proposal No. 568, 2002 was retitled SPECIAL RESOLUTION NO. 71, 2002, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 71, 2002**

A SPECIAL RESOLUTION recognizing the outstanding community service of William K. McGowan, Jr., of the Indianapolis Convention and Visitors Association.

WHEREAS, William K. (Bill) McGowan, Jr. was the President and Chief Executive Officer of the 79-year-old Indianapolis Convention and Visitors Association from when the RCA Dome opened until earlier this year when he stepped down to Vice Chairman until the end of the year when he retires; and

WHEREAS, during his years at the ICVA helm, he was a key player in helping market the city as a destination for conventions, meetings, trade shows, special events, group tours, and pleasure travel, with an industry local annual impact now of \$1.5 billion and 47,000 full-time equivalent jobs; and

WHEREAS, Bill is proud that Indy successfully bid on, and conducted the NCAA Men's Final Four Tournaments in 1980, 1991, 1997, and 2000, and has been hard at work to win the Final Four bid again in 2006; and

WHEREAS, his list of honors and organizations is a page long in small print, but two common threads of the Official Irishman of the Year are: Indianapolis, and that university in St. Joseph County with a trademark golden dome; 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 nearly two decades of competent and successful work of William K. McGowan, Jr. as the head of the Indianapolis Convention and Visitors Association.

SECTION 2. Now maybe he can just relax at a good Pacers, Colts, Speedway, and Fighting Irish game, and spend a little more time with his wife Joan, and their three children and six grandchildren.

SECTION 3. The Council wishes Bill and his family the very best in the years ahead, and just maybe we can tap his extensive reservoir of knowledge for a special project from time to time in the future.

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

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

PROPOSAL NO. 541, 2002. Councillor Borst reported that the Public Safety and Criminal Justice Committee heard Proposal No. 541, 2002 on October 29, 2002. The proposal, sponsored by Councillors Dowden and Borst, appoints Judy Singleton to the Animal Care and Control Board. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Massie, for adoption. Proposal No. 541, 2002 was adopted by a unanimous voice vote.

Proposal No. 541, 2002 was retitled COUNCIL RESOLUTION NO. 86, 2002, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 86, 2002

A COUNCIL RESOLUTION appointing Judy Singleton to the Animal Care and Control Board.

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

SECTION 1. As a member of the Animal Care and Control Board, the Council appoints:

Judy Singleton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2003. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Vice President Borst passed the gavel to General Counsel Robert Elrod.

### ELECTION OF OFFICERS

Mr. Elrod stated that nominations for President of the Council were made at the last meeting for Councillors Borst and Boyd. He asked for motions to open the floor for more nominations. Councillor Boyd said that he would like to withdraw his nomination for President. There being no objection, Councillor Boyd's nomination was withdrawn. There were no motions to open the floor for further nominations, and Councillor Borst was elected as Council President by the following roll call vote; viz.:

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

Councillor Borst thanked the members for their faith in him and said that he will try to serve fairly and competently.

Having elected Councillor Borst as President, Mr. Elrod said that there is now a vacancy in the position of Vice President. He opened the floor for nominations for Vice President of the Council. Councillor Short nominated Councillor Moriarty Adams for Vice President. Councillor Talley seconded the nomination. Councillor Soards nominated Councillor Coughenour for Vice President. Councillor McWhirter seconded the nomination. Councillor Bainbridge moved,

seconded by Councillor Talley, to close nominations. Nominations were closed by a unanimous voice vote. Mr. Elrod stated that a "yea" vote will signify a vote for Councillor Coughenour as Vice President of the Council, and a "nay" vote will signify a vote for Councillor Moriarty Adams. Councillor Coughenour was elected as Council Vice President by the following roll call vote; viz:

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

Councillor Coughenour thanked the members for supporting her and said that she will try to do a good job in the position.

Mr. Elrod stated that he has certification that Councillor Coughenour has been selected as leader of the Republican Caucus.

Mr. Elrod returned the gavel to President Borst.

### **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 556, 2002. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves of temporary tax anticipation borrowing for the City of Indianapolis during the period from January 1, 2003, through December 31, 2003"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 557, 2002. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves of temporary tax anticipation borrowing for Marion County, Indiana, during the period from January 1, 2003, through December 31, 2003"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 558, 2002. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,875,880 in the 2002 Budget of the County Auditor (County General Fund) to fund the increase in health insurance premiums, funded by fund balances"; and the President referred it to the Administration and Finance Committee.

Councillor McWhirter made the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 558, 2002, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on November 25, 2002.

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

PROPOSAL NO. 559, 2002. Introduced by Councillors Cockrum and Douglas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$400,000 in the 2002 Budget of the Department of Parks and Recreation (Park General Fund) to fund

staffing for two year-round swimming pools (Forest Manor and Washington Middle Schools) unanticipated in the 2002 budget, as well as overtime needs for storm clean-up from September 20, 2002"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 560, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$70,000 in the 2002 Budget of the County Sheriff (Cumulative Capital Development Fund) for the purchase of three transportation vans, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 561, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$500,000 in the 2002 Budget of the County Sheriff (County General Fund) to provide for the shortage of money in the 2002 budget for gasoline"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 562, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$40,560 in the 2002 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund an additional appropriation for the Probation Department so they may expand their ability to assist in the process of screening and tracking Community Transition Program offenders, funded by a state grant (Department of Correction, Community Correction Grant Program)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 563, 2002. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$102,024 in the 2002 Budgets of the County Auditor and Community Corrections (State and Federal Grants Fund) to fund additional work release beds and day reporting slots, and rescinds Fiscal Ordinance No. 67, 2002, due to incorrect transfer of dollar amount"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 564, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$220,000 in the 2002 Budget of the Department of Public Works, (Transportation General Fund) to fund overtime hours used to clean up after the storms of September 20, 2002, financed by fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 565, 2002. Introduced by Councillors Coughenour and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$250,000 in the 2002 Budget of the Department of Public Works, Operation Division (Transportation General Fund) to pay for renovation to the silk screen room within the sign paint shop to improve ventilation and to construct a pole barn for equipment storage"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 566, 2002. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves a schedule of regular council meetings for the year 2003"; and the President referred it to the Committee of the Whole Council.

PROPOSAL NO. 567, 2002. Introduced by Councillors Bradford and Schneider. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which recommends that the city's

purchase of the Indianapolis Water Company be rescinded"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 570, 2002. Introduced by Councillors Talley and Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which requests the Metropolitan Development Commission to consider certain amendments to permit an exemption for signage in any zoning district related to not-for-profit activities"; and the President referred it to the Metropolitan Development Committee.

President Borst encouraged Council members to review Proposal No. 566, 2002 thoroughly before the next meeting, which is the schedule of Council meetings for next year.

Councillor Schneider asked to be added as a co-sponsor on Proposal No. 567, 2002. Consent was given.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 569, 2002. Introduced by Councillor Smith. Proposal No. 569, 2002 is a proposal for a Rezoning Ordinance certified by the Metropolitan Development Commission on October 31, 2002. The President called for any motions for public hearings on this zoning map change. There being no motions for public hearings, the proposed ordinance, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, was retitled for identification as REZONING ORDINANCE NO. 150, 2002, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 150, 2002.

2001-ZON-041

9901 FALL CREEK ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

DAVIS HOMES, L.L.C., by Thomas Michael Quinn, requests a rezoning of 4.17 acres, being in the D-P (W-1)(FF) District, to the C-1 (W-1)(FF) classification.

### **SPECIAL ORDERS - PUBLIC HEARING**

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 456 and 530, 2002 on October 9 and 29, 2002, respectively. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 456, 2002. The proposal, sponsored by Councillor Dowden, 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. PROPOSAL NO. 530, 2002. The proposal, sponsored by Councillors Dowden, Talley, and Douglas, approves an increase of \$461,000 in the 2002 Budget of the Office of the Controller (Consolidated County General Fund) to cover the cost of up to 98 jail beds from September through December, financed by fund balances. By unanimous votes, the Committee reported Proposal No. 456, 2002 to the Council with the recommendation that it do pass as amended and Proposal No. 530, 2002 to the Council with the recommendation that it do pass.

President Borst called for public testimony at 7:43 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Talley, for adoption. Proposal No. 456, 2002, as amended, and Proposal No. 530, 2002 were adopted on the following roll call vote; viz:



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

Proposal No. 456, 2002, as amended, was retitled FISCAL ORDINANCE NO. 129, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 129, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) appropriating an additional Forty-five Thousand Dollars (\$45,000) in the County General Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(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, Juvenile Division, to increase funding for the school lunch program for the remainder of 2002.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) 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, JUVENILE DIVISION</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	45,000
TOTAL INCREASE	45,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	45,000
TOTAL REDUCTION	45,000

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

Proposal No. 530, 2002 was retitled FISCAL ORDINANCE NO. 130, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 130, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating Four Hundred Sixty-one Thousand Dollars (\$461,000) in the Consolidated County General Fund for purposes of the Office of the City Controller and reducing the unappropriated and unencumbered balance in the Consolidated County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(f) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Office of the City Controller to cover the cost of up to 98 jail beds from September through December.

SECTION 2. The sum of Four Hundred Sixty-one Thousand Dollars (\$461,000) 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 increased appropriation is hereby approved:

<u>OFFICE OF THE CITY CONTROLLER</u>	<u>CONSOLIDATED COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>461,000</u>
TOTAL INCREASE	461,000

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

	<u>CONSOLIDATED COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
Consolidated County General Fund	<u>461,000</u>
TOTAL DECREASE	461,000

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

PROPOSAL NO. 525, 2002. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 525, 2002 on November 4, 2002. The proposal, sponsored by Councillors Smith and Douglas, approves an increase of \$365,000 in the 2002 Budget of the Department of Metropolitan Development (Federal Grants and Non-Lapsing State Grants Funds) to fund engineering costs for the clay cap for the Special Soils Area of the Keystone Enterprise Park as well as Phase II environmental assessment costs for the same area, financed by federal and state grants (Brownfield Economic Development Initiative and Indiana Development Finance Authority). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 7:44 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Douglas, for adoption. Proposal No. 525, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 525, 2002 was retitled FISCAL ORDINANCE NO. 131, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 131, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating Three Hundred Sixty-five Thousand Dollars (\$365,000) in the Federal and State Non-Lapsing Grants Funds for purposes of the Department of Metropolitan Development and reducing the unappropriated and unencumbered balances in the Federal Grants and Non-Lapsing State Grants Funds.

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 Metropolitan

Development to fund engineering costs for the clay cap for the Special Soils Area of the Keystone Enterprise Park as well as Phase II environmental assessment costs for the same area.

SECTION 2. The sum of Three Hundred Sixty-five Thousand Dollars (\$365,000) 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 increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>315,000</u>
TOTAL INCREASE	315,000

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
3. Other Services and Charges	<u>50,000</u>
TOTAL INCREASE	50,000

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>315,000</u>
TOTAL REDUCTION	315,000

	<u>NON-LAPSING STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing State Grants Fund	<u>50,000</u>
TOTAL REDUCTION	50,000

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 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 Coughenour reported that the Public Works Committee heard Proposal Nos. 533 and 534, 2002 on November 7, 2002. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 533, 2002. The proposal, sponsored by Councillors Coughenour and Knox, approves an increase of \$4,236,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Redevelopment District Capital Projects Fund and Transportation General Fund) to provide the local match and inspection fees for several projects, financed by fund balances. PROPOSAL NO. 534, 2002. The proposal, sponsored by Councillors Coughenour and Knox, approves an increase of \$80,000 in the 2002 Budget of the Department of Public Works, Engineering Division (Transportation General Fund) to study four intersections for potential operational and safety improvements, financed by a grant from State Farm Insurance Company. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Borst called for public testimony at 7:48 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Knox, for adoption. Proposal Nos. 533 and 534, 2002 were adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Bradford

1 ABSENT: Horseman

Proposal No. 533, 2002 was retitled FISCAL ORDINANCE NO. 132, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 132, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating an additional Four Million Two Hundred Thirty-six Thousand Dollars (\$4,236,000) in the Redevelopment District Capital Projects Fund and the Transportation General Fund for purposes of the Department of Public Works, Engineering Division, and reducing the unappropriated and unencumbered balance in the Redevelopment District Capital Projects Fund and the Transportation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (j) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering Division, to provide the local match and inspection fees for several projects.

SECTION 2. The sum of Four Million Two Hundred Thirty-six Thousand Dollars (\$4,236,000) 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 increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>ENGINEERING DIVISION</u>	<u>REDEVELOPMENT DISTRICT CAPITAL PROJECTS FUND</u>
3. Other Services and Charges	30,000
4. Capital Outlay	<u>106,000</u>
TOTAL INCREASE	136,000

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>ENGINEERING DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
4. Capital Outlay	<u>4,100,000</u>
TOTAL INCREASE	4,100,000

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

<u>REDEVELOPMENT DISTRICT CAPITAL PROJECTS FUND</u>	
Unappropriated and Unencumbered Redevelopment District Capital Projects Fund	<u>136,000</u>
TOTAL DECREASE	136,000

<u>TRANSPORTATION GENERAL FUND</u>	
Unappropriated and Unencumbered Transportation General Fund	<u>4,100,000</u>
TOTAL DECREASE	4,100,000

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

Proposal No. 534, 2002 was retitled FISCAL ORDINANCE NO. 133, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 133, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance 95, 2001) appropriating an additional Eighty Thousand Dollars (\$80,000) in the Transportation General Fund for purposes of the Department of Public Works, Engineering Division and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(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 Department of Public Works, Engineering Division to study four intersections for potential operational and safety improvements, financed by a grant from State Farm Insurance Company.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) 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 PUBLIC WORKS</u>	
<u>ENGINEERING DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	80,000
TOTAL INCREASE	80,000

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	80,000
TOTAL DECREASE	80,000

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

PROPOSAL NO. 537, 2002. Councillor McWhirter reported that the Administration and Finance Committee heard Proposal No. 537, 2002 on October 29, 2002. The proposal, sponsored by Councillor Brents, approves the proposed refinancing of portions of Consolidated Redevelopment Area debt. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McWhirter moved, seconded by Councillor Coughenour, to amend Proposal No. 537, 2002 in the seventh "Whereas" clause, first line, to read, "Whereas, the Commission plans to adopt." She said that the Commission was not able to adopt by this meeting, but must still do so before refinancing can occur. Proposal No. 537, 2002 was amended by a unanimous voice vote.

President Borst called for public testimony at 7:51 p.m. There being no one present to testify, Councillor McWhirter moved, seconded by Councillor Brents, for adoption. Proposal No. 537 2002, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 537, 2002, as amended, was retitled GENERAL RESOLUTION NO. 12, 2002, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 2002

A GENERAL RESOLUTION (i) approving the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, payable solely from taxes on real property and certain personal property of designated taxpayers located in the Consolidated Redevelopment Allocation Area allocated and deposited into the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, if any pledged pursuant to Indiana Code 36-7-15.1-17.5(c); and (ii) approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Consolidated Redevelopment Area (the "Area"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, the City of Indianapolis, Indiana (the "City"), has previously issued its City of Indianapolis Redevelopment District Tax Increment Revenue Bonds of 1992, Series A, in the original aggregate principal amount of Two Hundred Ninety-Three Million Five Hundred Thousand Dollars (\$293,500,000), pursuant to Resolution No. 92-146, adopted by the Commission on November 10, 1992 (the "Series 1992 Bonds"); and

WHEREAS, the City has previously issued its City of Indianapolis Redevelopment District Subordinate Tax Increment Revenue Refunding Bonds of 1999, Series A, in the original aggregate issued amount of Ninety-Nine Million Five Hundred Fifty-Five Thousand One Hundred Twenty-Four Dollars and Ninety-Five Cents (\$99,555,124.95), pursuant to Resolution No. 99-D-037, adopted by the Commission on July 7, 1999 (the "Series 1999 Bonds"), a portion of the proceeds of which were used to effect the current refunding of the Series 1992 Bonds which matured on February 1, 2022; and

WHEREAS, the City has previously issued its City of Indianapolis Redevelopment District Limited Recourse Taxable Refunding Notes, Series A, in the original aggregate principal amount of Thirty-Six Million Four Hundred Sixty-Two Thousand Five Hundred Ninety-Eight Dollars and Forty-Four Cents (36,462,598.44), pursuant to Resolution No. 00-D-48 adopted by the Commission on July 5, 2000 (the "Series 2000 Taxable Notes"), the proceeds of which were used to effect the current refunding of the City of Indianapolis Redevelopment District Junior Subordinate Limited Recourse Refunding Notes, Series 1998A, the proceeds of which were used to effect the refunding of the City of Indianapolis Redevelopment District Project and Subordinated Tax Increment Revenue Bond of 1988, Series B; and

WHEREAS, on March 7, 2001, the Commission adopted a First Supplemental and Amendatory Bond Resolution (Resolution No. 01-B-010) (the "2001 Bond Resolution") authorizing the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), in one or more series or issues (the "2002A Refunding Bonds"), the principal of and interest on which are payable solely from taxes on real property and certain personal property of designated taxpayers located in the Consolidated Redevelopment Allocation Area (the "Allocation Area") allocated and deposited into the Consolidated Redevelopment Allocation Area Special Fund (the "Allocation Fund") pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), which 2002A Refunding Bonds are to rank subordinate to the Series 1992 Bonds and on parity with the Series 1999 Bonds, for the purpose of procuring funds to be applied to the cost of refunding all or a portion of the Series 1992 Bonds maturing on February 1, 2020, together with expenses associated therewith and expenses in connection with or on account of the issuance of the 2002A Refunding Bonds therefor (collectively, the "1992 Refunding"); and

WHEREAS, on November 6, 2002, the Commission adopted an Amended and Restated First Supplemental and Amendatory Bond Resolution (the "Amended and Restated Bond Resolution") which amends the 2001 Bond Resolution to permit the issuance of additional special taxing district bonds of the District, in one or more series or issues (the "2002B Refunding Bonds"), the principal of and interest on which are payable solely from taxes on real property and certain personal property of designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), which 2002B Refunding Bonds are to rank subordinate to the Series 1992 Bonds and on parity with the Series 1999 Bonds and the 2002A Refunding Bonds, if issued, for the purpose of procuring funds to be applied to the cost of refunding all or a portion of the Series 1999 Bonds maturing on February 1, 2029, together with expenses associated therewith and

expenses in connection with or on account of the issuance of 2002B Refunding Bonds therefor (collectively, the "1999 Refunding"); and

WHEREAS, the Commission plans to adopt a 2002 Amended and Restated Junior Subordinate Final Bond Resolution (the "Junior Subordinate Bond Resolution"), which amends and restates the 1998 Junior Subordinate Final Bond Resolution (Resolution No. 98-D-82) of the Commission, to permit the issuance of additional special taxing district bonds or notes of the District, in one or more series or issues (the "2002 Taxable Refunding Bonds"), the principal of and interest on which are payable solely from taxes on real property and certain personal property of designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), which 2002 Taxable Refunding Bonds are to rank subordinate to the Series 1992 Bonds, the Series 1999 Bonds, the 2002A Refunding Bonds and the 2002B Refunding Bonds, for the purpose of procuring funds to be applied to the cost of refunding the Series 2000 Taxable Notes, together with expenses associated therewith and expenses in connection with or on account of the issuance of the 2002 Taxable Refunding Bonds therefor (collectively, the "2000 Taxable Refunding"); and

WHEREAS, the 2002A Refunding Bonds, the 2002B Refunding Bonds and the 2002 Taxable Refunding Bonds are currently anticipated to be sold to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") pursuant to the provisions of Indiana Code 5-1.4, and the Bond Bank anticipates purchasing the 2002A Refunding Bonds, the 2002B Refunding Bonds and the 2002 Taxable Refunding Bonds with the proceeds from the issuance of one or more series of the Bond Bank's Bonds (the "Bond Bank Bonds"), which Bond Bank Bonds may be secured by one more debt service reserve funds established by the Bond Bank that will be subject to Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of the City-County Council; and

WHEREAS, on March 8, 2001, this City-County Council adopted City-County General Resolution No. 1, 2001 (the "2001 Council Resolution") approving the issuance of the 2002A Refunding Bonds; and

WHEREAS, the Commission has requested the approval by the City-County Council of the issuance of the 2002B Refunding Bonds and the 2002 Taxable Refunding Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the 2002B Refunding Bonds and the 2002 Taxable Refunding Bonds should be approved; 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 does hereby approve (i) the Amended and Restated Bond Resolution; and (ii) the issuance of the 2002B Refunding Bonds of the District, in one or more series or issues, payable solely from taxes on real property and personal property of certain designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), in an original aggregate principal amount not to exceed Thirty-Five Million Dollars (\$35,000,000), which amount does not exceed the estimated costs of the 1999 Refunding.

SECTION 2. The City-County Council does hereby approve (i) the form of 2002 Junior Subordinate Bond Resolution; and (ii) the issuance of the 2002 Taxable Refunding Bonds of the District, in one or more series or issues, payable solely from taxes on real property and personal property of certain designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), in an original aggregate principal amount not to exceed Forty Million Dollars (\$40,000,000), which amount does not exceed the estimated costs of the 2000 Taxable Refunding.

SECTION 3. The City-County Council does hereby acknowledge that the Bond Bank Bonds may be supported by one or more debt service reserve funds that will be subject to the provisions of Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of this City-County Council.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 538, 2002. The proposal, sponsored by Councillors Nytes and McWhirter, approves the issuance of TIF bonds to repay 2001 BAN for Fall Creek Place (Home Ownership Zone). Councillor McWhirter reported that the Administration and Finance Committee has not

yet heard Proposal No. 538, 2002, and she moved, seconded by Councillor Nytes, to postpone the proposal until November 25, 2002. Proposal No. 538, 2002 was postponed until November 25, 2002 by a unanimous voice vote.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 526, 2002. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 526, 2002 on November 4 and 11, 2002. He deferred to Councillor Bainbridge to give the Committee report, as he voted in opposition of the recommendation in Committee. The proposal, sponsored by Councillors Smith and Nytes, approves the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds for 2003. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes said that it was a difficult Committee discussion and she commended the staff for the tough task of sorting through \$4 million more in requests than for which funds were available. She said that the community has come to expect so many not-for-profit services and the Council should look at other ways to find funds for these worthwhile entities.

Councillor Gibson encouraged the administration to consider funding more drug treatment programs to help with homelessness and housing issues.

Councillor Schneider said that too great a percentage of these dollars are going to combat homelessness, when there are only 15,000 homeless in any given year in Indianapolis. He said that he also is fundamentally opposed to the federal government making routine restrictive grants instead of giving citizens tax cuts that would benefit all citizens.

Councillor Bainbridge moved, seconded by Councillor Nytes, for adoption. Proposal No. 526, 2002 was adopted on the following roll call vote; viz:

*22 YEAS: Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Gibson, Gray, Knox, Langsford, McWhirter, Moriarty Adams, Nytes, Sanders, Short, Soards, Talley, Tilford*

*5 NAYS: Dowden, Frick, Massie, Schneider, Smith*

*1 NOT VOTING: Bradford*

*1 ABSENT: Horseman*

Proposal No. 526, 2002 was retitled SPECIAL RESOLUTION NO. 72, 2002, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 72, 2002

PROPOSAL FOR A SPECIAL RESOLUTION approving the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council"), passed City-County Fiscal Ordinance No. 99, 2002, 2003 Annual Budget of the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4 (b) of the Budget Ordinance, as approved by the Council, reads as follows:

Community Development Grant Funds. Until this Council has approved the amounts, locations, and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent;



WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has presented the 2003 Consolidated Annual Action Plan, a document submitted to the United States Department of Housing and Urban Development ("HUD"), which sets forth the City's goals and intentions for using federal dollars in fiscal year 2003, to the Council; and

WHEREAS, the 2003 Consolidated Annual Action Plan identifies the amounts, locations, and programmatic operation of each project that will be funded by Community Development Grant Funds, which are summarized in the Summary of 2003 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference; and

WHEREAS, Council now finds that the amounts, locations, and programmatic operations of each project listed in the 2003 Consolidated Annual Action Plan, including insubstantial amendments thereto should be approved; now, therefore:

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

SECTION 1. That the amounts, locations, and programmatic operations of each of the projects included in the 2003 Consolidated Annual Action Plan, which are summarized in the Summary of 2003 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference, are approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01(b) of the Budget Ordinance and shall include and allow insubstantial amendments to the approved projects.

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

ATTACHMENT A

SUMMARY OF 2003 PROPOSED ACTIVITIES			
ORGANIZATION NAME	PROPOSED FUNDING	FUNDING SOURCE	PROJECT DESCRIPTION
<b>PRESERVE HOMEOWNERSHIP</b>			
<b>Homeowner Repair</b>			
BOS Community Development Corporation	\$300,000	CDBG	Provide repairs to 24 owner-occupied units.
CICOA : The Access Network	\$125,000	CDBG	Provide repairs to 10 owner occupied units.
Community Action of Greater Indianapolis	\$212,000	CDBG	Provide repairs to 17 owner-occupied units.
Community Alliance of the Far Eastside	\$175,000	CDBG	Provide repairs to 14 owner-occupied units.
Concord Community Development Corporation	\$187,500	CDBG	Provide repairs to 15 owner-occupied units.
Emergency Homeowner Repair	\$408,156	CDBG	Provide emergency repairs to 32 owner-occupied units. (as needed)
Mapleton Fall Creek Community Development Corporation	\$150,000	CDBG	Provide repairs to 12 owner-occupied units.
Martindale-Brightwood Community Development Corporation	\$62,500	CDBG	Provide repairs to 5 owner-occupied units.
Near North Development Corporation	\$200,000	CDBG	Provide repairs to 16 owner-occupied units.
Rehab Administration	\$96,000	CDBG	Homeowner repair administrative support.
Riley Area Development Corporation	\$100,000	CDBG	Provide repairs to 8 owner-occupied units in the former ECI neighborhood.
Riley Area Development Corporation	\$50,000	CDBG	Provide repairs to 4 owner-occupied units.
Southeast Neighborhood Development Corporation	\$325,000	CDBG	Provide repairs to 26 owner-occupied units.

United Northeast Community Development Corporation	\$150,000	CDBG	Provide repairs to 12 owner-occupied units.
United Northwest Area Development Corporation	\$125,000	CDBG	Provide repairs to 10 owner-occupied units.
West Indianapolis Development Corporation	\$150,000	CDBG	Provide repairs to 12 owner-occupied units.
Westside Community Development Corporation	\$312,500	CDBG	Provide repairs to 25 owner-occupied units.
<b>Homeowner Repair Total</b>	<b>\$ 3,129,156</b>		
<b>INCREASE HOMEOWNERSHIP</b>			
<b>Acquisition/Rehabilitation for Homeownership</b>			
BOS Community Development Corporation	\$96,000	HOME	Acquire and rehabilitate 3 units for homeownership.
Community Alliance of the Far Eastside, Inc.	\$32,000	HOME	Acquire and rehabilitate 1 unit for homeownership.
Concord Community Development Corporation	\$192,000	HOME	Acquire and rehabilitate 6 units for homeownership.
King Park Area Development Corporation	\$32,000	HOME	Acquire and rehabilitate 1 unit for homeownership.
Mapleton Fall Creek Development Corporation	\$160,000	HOME	Acquire and rehabilitate 5 units for homeownership.
Near North Development Corporation	\$128,000	HOME	Acquire and rehabilitate 4 units for homeownership.
Riley Area Development Corporation	\$32,000	HOME	Acquire and rehabilitate 1 unit for homeownership.
Southeast Neighborhood Development Corporation	\$256,000	HOME	Acquire and rehabilitate 8 units for homeownership.
United North East Development Corporation	\$32,000	HOME	Acquire and rehabilitate 1 unit for homeownership.
United Northwest Area Development Corporation	\$32,000	HOME	Acquire and rehabilitate 1 unit for homeownership.
West Indianapolis Development Corporation	\$200,000	HOME	Acquire and rehabilitate 7 units for homeownership.
<b>Acquisition/Rehabilitation Total</b>	<b>\$1,192,000</b>		
<b>New Construction for Homeownership</b>			
Community Alliance of the Far Eastside, Inc.	\$64,000	HOME	Construct 2 units of housing for homeownership.
Fall Creek Place	\$1,500,000	CDBG	Create 50 new homeownership opportunities.
King Park Area Development Corporation	\$32,000	HOME	Construct 1 unit of housing for homeownership.
Near North Development Corporation	\$192,000	HOME	Construct 6 units of housing for homeownership.
Riley Area Development Corporation	\$64,000	HOME	Construct 2 units of housing for homeownership.
Southeast Neighborhood Development Corporation	\$64,000	HOME	Construct 2 units of housing for homeownership.
United North East Community Development Corporation	\$64,000	HOME	Construct 2 units of housing for homeownership.
Westside Community Development Corporation	\$320,000	HOME	Construct 10 units of housing for homeownership.
<b>New Construction Total</b>	<b>\$2,300,000</b>		
<b>Homebuyer Subsidies</b>			
Indianapolis Neighborhood Housing Partnership	\$441,000	HOME	Provide direct homeownership assistance for 38 45 households.
<b>Homebuyer Subsidies Total</b>	<b>\$441,000</b>		

<b>INCREASE RENTAL HOUSING</b>			
Other affordable rental housing	\$1,744,000	HOME	HOME funds set-aside to provide gap financing for affordable rental housing.
West Indianapolis Development Corporation	\$50,000	CDBG	Provide repairs to 15 rental units.
<b>Rental Housing Total</b>	<i>\$1,794,000</i>		
<b>SUPPORT CAPITAL AND ENTERPRISE DEVELOPMENT</b>			
Indianapolis Urban Enterprise Association	\$50,000	CDBG	Provide technical assistance to businesses within the Enterprise Community.
Keystone Enterprise Park	\$700,000	CDBG	City project to develop an industrial park.
<b>Economic/Commercial Development Total</b>	<i>\$750,000</i>		
<b>SUPPORTIVE SERVICE ACTIVITIES</b>			
<b>Job Training</b>			
Horizon House	\$144,300	CDBG	Job readiness and employment program for homeless individuals.
Indianapolis Urban Enterprise Association	\$44,300	CDBG	Job assessment, job placement and retention.
Keys to Work, Inc.	\$144,300	CDBG	Job assessment, job placement and retention.
<b>Job Training Total</b>	<i>\$332,900</i>		
<b>Youth Services</b>			
Bicycle Action Project	\$38,300	CDBG	To provide life skills to youth.
School on Wheels	\$40,000	CDBG	To provide tutors and educational program to youth living in homeless shelters.
Summer Youth Programs	\$125,000	CDBG	Support collaborative summer youth activities.
<b>Youth Services Total</b>	<i>\$203,300</i>		
<b>Senior Services</b>			
CICOA: The Access Network	\$55,800	CDBG	Provide job training and transportation for seniors.
Community Centers of Indianapolis	\$144,300	CDBG	Provide senior services at CCI Centers.
Family Service Association	\$54,300	CDBG	Provide support services to seniors and adults with disabilities.
<b>Senior Services Total</b>	<i>\$254,400</i>		
<b>Other Public Services</b>			
Community Centers of Indianapolis	\$344,300	CDBG	Provide at-risk individuals with case management and referral services.
Family Service Association	\$25,000	CDBG	Provide long-term credit counseling and homeownership training for prospective homeowners.
Genesaret Free Clinic	\$16,044	CDBG	Provide dental services to homeless individuals at the Blue Triangle.
Genesaret Free Clinic	\$20,700	CDBG	Provide health care services to homeless men.

Indianapolis Neighborhood Resource Center	\$50,000	CDBG	Provide neighborhood capacity building to community groups.
IPD Weed-n-Seed	\$194,300	CDBG	Support local weed-n-seed initiatives.
IPD Community Policing	\$10,000	CDBG	Community policing and crime awareness.
<b>Other Public Services Total</b>	<i>\$660,344</i>		
<b>Public Facilities</b>			
Raphael Health Center	\$300,000	CDBG	To renovate and expand current medical facility to serve low-income residents.
<b>Public Facilities Total</b>	<i>\$300,000</i>		
<b>ELIMINATE UNSAFE SITES</b>			
<b>Unsafe Buildings and Sites</b>			
Brownfields Program	\$35,000	CDBG	Remediate brownfields for future development.
Unsafe Buildings	\$1,799,500	CDBG	Board, demolish, or secure vacant unsafe buildings in Indianapolis.
<b>Unsafe Buildings and Sites Total</b>	<i>\$1,834,500</i>		
<b>SUPPORT HOMELESS SHELTERS AND OTHER SPECIAL NEEDS HOUSING</b>			
Concord Center	\$50,000	HOPWA	Provide rental assistance to individuals with HIV/AIDS and their families.
Damien Center	\$400,000	HOPWA	Provide rental assistance and supportive services to individuals with HIV/AIDS and their families.
Ebenezer Foundation	\$100,000	HOPWA	Provide rental assistance and supportive services to individuals with HIV/AIDS and their families.
Other HIV/AIDS Housing Programs	\$136,760	HOPWA	Housing and support services for individuals with HIV/AIDS.
Catholic Social Services/Holy Family Shelter	\$54,450	ESG	Provide essential services, operations, homelessness prevention.
Children's Bureau	\$26,450	ESG	Provide essential services, operations, homelessness prevention.
Community Centers of Indianapolis	\$29,450	ESG	Provide homelessness prevention assistance.
Dayspring Shelter	\$49,450	ESG	Provide essential services, operations, homelessness prevention.
Genesaret Free Clinic	\$43,450	ESG	Provide essential services, operations, homelessness prevention.
Horizon House	\$58,450	ESG	Provide essential services, operations, homelessness prevention.
Metro Transit	\$29,450	ESG	Provide essential services (bus tickets) to homeless persons.
Quest for Excellence	\$29,450	ESG	Provide essential services, operations, homelessness prevention.
Salvation Army Social Service Center	\$48,450	ESG	Provide essential services, operations, homelessness prevention.
IRL Development Corporation	\$128,000	HOME	Construct 8 (SRO) units of rental housing for persons with disabilities.
Dayspring Center	\$29,300	CDBG	Provide transitional housing to homeless families.

Coburn Place	\$142,100	CDBG	Operating support for transitional housing for victims of domestic violence.
<b>Special Needs Housing Total</b>	<i>\$1,355,210</i>		
<b>CITY OF INDIANAPOLIS ADMINISTRATIVE SUPPORT</b>			
CHDO Administrative Funds	\$195,000	HOME	HOME CHDO Operating Support.
Indianapolis Housing Agency	\$15,000	CDBG	Promote fair housing in Indianapolis.
City Program Administration and Planning	\$2,623,190	CDBG, ESG, HOME, HOPWA	Administration support.
<b>Administrative Support Total</b>	<i>\$2,833,190</i>		
<b>TOTAL \$17,380,000</b>			

PROPOSAL NO. 527, 2002. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 527, 2002 on November 4, 2002. The proposal, sponsored by Councillors Smith and Nytes, changes the name and duties of the division of community development and financial services; changes the duties of the division of administrative services of the department of metropolitan development, and repeals provisions regarding the urban homesteading program. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Nytes, for adoption. Proposal No. 527, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 527, 2002 was retitled GENERAL ORDINANCE NO. 109, 2002, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 2002

PROPOSAL FOR A GENERAL ORDINANCE to amend the "Revised Code of the Consolidated City and County" to change the name and duties of the division of community development and financial services; to change the duties of the division of administrative services of the department of metropolitan development and to repeal provisions regarding the urban homesteading program.

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

**SECTION 1.** Section 231-301 of the "Revised Code of the Consolidated City and County," regarding the names of the divisions of the department of metropolitan development, hereby is amended by the deletion of the language which is stricken-through, to read as follows:

**Sec. 231-301. Divisions established.**

The department of metropolitan development shall be composed of the following divisions:

- (1) Division of neighborhood services.
- (2) Division of planning.
- (3) Division of administrative services.

- (4) Division of community development ~~and financial services~~.
- (5) Division of compliance.

**SECTION 2.** Section 231-304 of the "Revised Code of the Consolidated City and County," regarding division of administrative services and its responsibilities, hereby is amended by the deletion of the language which is stricken-through and the addition of the language which is underscored, to read as follows:

**Sec. 231-304. Division of administrative services.**

- (a) The division of administrative services is responsible for:
  - (1) Providing real estate services for the department, including, acquiring or disposing of any interest in real or personal property, leasing or renting any buildings, structures or facilities included with a housing, economic development, other development or redevelopment project or public safety initiative; ~~and~~
  - (2) Facilitating the economic growth and revitalization of the city through various local economic development programs including, but not limited to real property tax abatement, residential distress tax abatement, industrial revenue bonds, tax increment financing, and for providing administrative support for the department; and
  - (3) Providing various financial services including annual budget preparation, annual audit coordination, payroll services, and other accounting and operational support for the department.
- (b) Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1.
- (c) This division shall have other powers and duties granted by statute or ordinance or delegated by the mayor or department director.

**SECTION 3.** Section 231-305 of the "Revised Code of the Consolidated City and County," regarding the change of the name of the division of community development and financial services and its powers and duties, hereby is amended by the deletion of the language which is stricken-through and by the addition of the language which is underscored, to read as follows:

**Sec. 231-305. Division of community development ~~and financial services~~.**

- (a) The division of community development ~~and financial services~~ is responsible for providing affordable housing, development and rehabilitation opportunities, encouraging economic opportunities, building neighborhood capacity, providing homeless assistance and human services, administering an unsafe building program, and administering various federal programs ~~and for providing financial services for the department~~.
- (b) Powers and duties of the division include:
  - (1) On behalf of the director, designating and authorizing the receipt and distribution of all funds received by the department pursuant to acts of the United States Congress including but not limited to the Housing and Community Development Act of 1974, as amended, the National Affordable Housing Act of 1990, as amended, and the Stewart B. McKinney Homeless Assistance Act of 1987, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States Government to receive those funds.
  - (2) Facilitating the creation of affordable housing opportunities for low income households, including the homeless and persons with special needs, through the provision of programs including, but not limited to, Community Development Block Grant Program, HOME Investment Partnerships Program, Housing Opportunities for People with AIDS, Emergency Shelter Grants, Section 108 Loan Guarantee Program, Supportive Housing Program and the Mark to Market Program.
  - (3) Facilitating the economic growth and revitalization of the city, through various local economic development programs including, but not limited to Community Development Block Grant Program, Section 108 Loan Guarantee Program, Commercial Facade Program, support for the Indianapolis Enterprise Zone, and Enterprise Community.

- ~~(4)~~ Powers and duties granted to the division under section 231-401 through section 231-405 of the Code and continuing the administration and compliance monitoring of the previously established Urban Homesteading Programs for the Consolidated City of Indianapolis as provided by HUD guidelines and section 231-401 through 231-405 of the Code.
- ~~(5)~~(4) The provision of public services and facilities including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing, energy conservation, welfare, recreational or special needs.
- ~~(6)~~(5) Powers and duties conferred on the enforcement authority by IC 36-7-9.
- ~~(7)~~(6) Conducting or contracting with an enforcement entity to conduct a program to issue orders to repair, board or demolish hazardous, unsafe or problem structures which contribute to urban blight including but not limited to the powers and duties in Chapter 537 of the Code.
- ~~(8)~~(7) Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1.
- (8) Inspecting properties to enforce regulatory requirements to insure compliance with federal programs.
- (9) The division shall have other powers and duties granted by statute or ordinance or delegated by the mayor or department director.

**SECTION 4.** Article IV of Chapter 231 of the "Revised Code of the Consolidated City and County," regarding the urban homesteading program, hereby is repealed.

**SECTION 5.** The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

**SECTION 6.** Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

**SECTION 7.** This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 531 and 532, 2002 on October 29, 2002. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 531, 2002. The proposal, sponsored by Councillor Dowden, approves a transfer of \$25,000 in the 2002 Budget of the Forensic Services Agency (County General Fund) to allow payment of unanticipated expense in character three. PROPOSAL NO. 532, 2002. The proposal, sponsored by Councillor Dowden, approves a transfer of \$47,000 in the 2002 Budget of the Marion County Superior Court (County General Fund) to fund safety improvements for jury boxes and witness chairs in center tower courts. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 531 and 532, 2002 were adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Bradford, Nytes*

*1 ABSENT: Horseman*

Proposal No. 531, 2002 was retitled FISCAL ORDINANCE NO. 134, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 134, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) transferring and appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations from that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(e) of the City-County Annual Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to allow payment of unanticipated expense in character three.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) 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>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>25,000</u>
TOTAL INCREASE	25,000

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

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>25,000</u>
TOTAL DECREASE	25,000

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

Proposal No. 532, 2002 was retitled FISCAL ORDINANCE NO. 135, 2002, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 135, 2002

A FISCAL ORDINANCE amending the City-County Annual Budget for 2002 (City-County Fiscal Ordinance No. 97, 2001) transferring and appropriating an additional Forty-seven Thousand Dollars (\$47,000) 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 fund safety improvements for jury boxes and witness chairs in center tower courts.

SECTION 2. The sum of Forty-seven Thousand Dollars (\$47,000) 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>
4. Capital Outlay	<u>47,000</u>
TOTAL INCREASE	47,000



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

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	47,000
TOTAL DECREASE	47,000

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

**SPECIAL SERVICE DISTRICT COUNCILS**

**POLICE SPECIAL SERVICE DISTRICT**

**SPECIAL ORDERS - PUBLIC HEARING**

President Borst convened the Police Special Service District Council.

PROPOSAL NO. 528, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 528, 2002 on October 29, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, approves an appropriation of \$974,726 in the 2002 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants and Federal Grants Funds) to support police relationships in the Eagledale neighborhood; to fund two civilian full-time positions within IPD's Victim Assistance Unit; to participate in the "Creating a Culture of Integrity Initiative - Use of Force Policy and Training"; to purchase a wireless hub system for connection to the IPD network, in-car video cameras for the Drug Interdiction Unit, and laptop computers for Academy recruit training; to fund the Domestic Violence Network Navigational Hub; and to fund the "Healthy Reasons to Say No," financed by federal grants. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 528, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 528, 2002 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2002, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2002

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Budget for 2002 (Police Special Service District Ordinance No. 3, 2001) appropriating an additional Nine Hundred Seventy-four Thousand Seven Hundred Twenty-six Dollars (\$974,726) in the Non-Lapsing Federal Grants and Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balances in the Non-Lapsing Federal Grants and Federal Grants Funds.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to support police relationships in the Eagledale neighborhood; to fund two civilian full-time positions within IPD's Victim Assistance Unit; to participate in the *Creating a Culture of Integrity Initiative - Use of Force Policy and Training*; to purchase a wireless hub system for connection to the IPD network, in-car video cameras for the Drug Interdiction Unit, and laptop computers for Academy recruit training; to fund the Domestic Violence Network Navigational Hub; and to fund the *Healthy Reasons to Say No*.

SECTION 2. The sum of Nine Hundred Forty-seven Thousand and Seven Hundred Twenty-six Dollars (\$947,726) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	108,784
2. Materials and Supplies	6,035
3. Other Services and Charges	505,611
4. Capital Outlay	<u>335,720</u>
TOTAL	956,150

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>POLICE DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	17,076
3. Other Services and Charges	<u>1,500</u>
TOTAL	18,576

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>956,150</u>
TOTAL REDUCTION	956,150

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>18,576</u>
TOTAL REDUCTION	18,576

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.

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

President Borst convened the Fire Special Service District Council.

PROPOSAL NO. 529, 2002. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 529, 2002 on October 29, 2002. The proposal, sponsored by Councillors Dowden and Moriarty Adams, approves an increase of \$491,230 in the 2002 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to purchase new fitness equipment, to train nine firefighters for a peer fitness program for mentoring local firefighters, and to deliver the FitKids program to area schools, financed by a federal grant (Federal Emergency Management Agency) (Matching funds of \$210,257 have been appropriated

in the Department of Public Safety, Fire Division's 2003 budget). By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Borst called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 529, 2002 was adopted on the following roll call vote; viz:

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

Proposal No. 529, 2002 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 2002, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 2002

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Fire Special Service District Budget for 2002 (Fire Special Service District Ordinance No. 4, 2001) appropriating an additional Four Hundred Ninety-one Thousand Two Hundred Thirty-one Dollars (\$491,231) in the Non-Lapsing Federal Grants Fund for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget. Section 1 of the Fire Special Service District Budget for 2002 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division to purchase new fitness equipment, to train nine firefighters for a peer fitness program for mentoring local firefighters, and to deliver the FitKids program to area schools.

SECTION 2. The sum of Four Hundred Ninety-one Thousand and Two Hundred Thirty-one Dollars (\$491,231) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>FIRE DIVISION</u>	
2. Materials and Supplies	21,250
3. Other Services and Charges	66,980
4. Capital Outlay	<u>403,000</u>
TOTAL INCREASE	491,230

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>491,230</u>
TOTAL REDUCTION	491,230

SECTION 5. The activity hereby approved through this ordinance is 70% funded by a federal grant. Matching funds (Fire Department's wellness program costs) have been appropriated in the 2003 budget, as follows

<u>DEPARTMENT OF PUBLIC SAFETY (Fire Division)</u>	<u>FIRE GENERAL FUND</u>
1. Personal Services	<u>210,257</u>
TOTAL	210,257

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the 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 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President Borst reconvened the City-County Council.

### **NEW BUSINESS**

Councillor Cockrum thanked the Metropolitan Planning Organization for their recent recommendation to the State regarding the analysis of the I-69 expansion through Decatur Township.

Councillor Black said that Councillor Boyd's brother passed away two weeks ago and the Council has been remiss in recognizing that or requesting a memorial in his name.

### **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 Gibson in memory of Cheryl "Nicey" D. King; and
- (2) Councillor Soards in memory of Benjamin Singleton and Herb Fulkerson; and
- (3) Councillor Knox in memory of Catherine B. Hale Tames; and
- (4) Councillor Schneider in memory of Sam Embree.

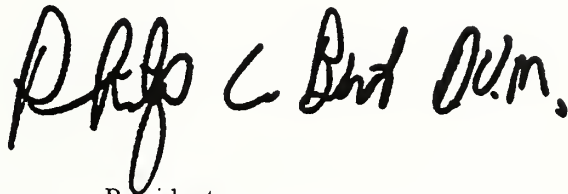
Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Cheryl "Nicey" D. King, Benjamin Singleton, Herb Fulkerson, Catherine B. Hale Tames, and Sam Embree. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:11 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 11th day of November, 2002.

November 11, 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)