

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

**REGULAR MEETINGS
MONDAY, JUNE 8, 2009**

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 7:05 p.m. on Monday, June 8, 2009, with President Cockrum presiding.

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

ROLL CALL

President Cockrum 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: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 ABSENT:

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Nytes recognized Boy Scout Troop 1949, from Joan of Arc Church, who are in attendance to earn their citizenship badge. Councillor McHenry recognized Mike Mullinex, Indianapolis Fire Department and Pike Youth Soccer, and Pike Township Activist Quinn Fultz. Councillor Pfisterer recognized Wayne Township Trustee, David Baird. Councillor Smith recognized Addison Simpson of United Water.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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, June 8, 2009, 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/Bob Cockrum
President, City-County Council

May 22, 2009

TO PRESIDENT COCKRUM 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 Wednesday, May 27, 2009, a copy of a Notice of Public Hearing on Proposal Nos. 187-190 and 194-196, 2009, said hearing to be held on Monday, June 8, 2009, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Melissa Thompson
Clerk of the City-County Council

May 29, 2009

TO PRESIDENT COCKRUM 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, Melissa Thompson, the following ordinances:

FISCAL ORDINANCE NO. 13, 2009 - appropriates \$70,691 in the 2009 Budget of the Public Defender Agency (Federal Grants Fund) for salaries and benefits of a juvenile master social worker, reclassification of two program coordinator positions and computer and telephone expenses for these positions

GENERAL ORDINANCE NO. 40, 2009 – amends the Code to allow the abandoned vehicle towing and storage fees to match the fees set out in the contract between the metropolitan law enforcement agency and the franchise wreckers

GENERAL ORDINANCE NO. 41, 2009 – transfers the park rangers division from the department of parks and recreation to the Indianapolis Metropolitan Police Department of the department of public safety

GENERAL ORDINANCE NO. 42, 2009 – establishes a 25 mph speed limit on Illinois Street between 29th Street and 32nd Street (District 8)

GENERAL ORDINANCE NO. 43, 2009 – amends the Code with respect to appropriations of funds from federal stimulus grants

GENERAL ORDINANCE NO. 44, 2009 – amends the Code to make technical corrections to provisions that refer to township assessors

GENERAL ORDINANCE NO. 45, 2009 – adopts ethical standards for conduct by councillors, amending the council rules on conflicts of interest and voting, requiring ethics disclosure statement by councillors, certain council employees and candidates for city-county council, and amending Chapter 293 to conform to such changes

GENERAL ORDINANCE NO. 46, 2009 – amends the Code to allow management tools for dealing with nuisance urban birds while upholding the state's wildlife laws regarding the protection of birds

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GENERAL ORDINANCE NO. 47, 2009 – amends the Code to correct and standardize the terminology that references the Indianapolis Metropolitan Police Department

GENERAL ORDINANCE NO. 48, 2009 – authorizes intersection controls at Platinum Place and Sheridan Avenue (District 25)

GENERAL ORDINANCE NO. 49, 2009 – authorizes parking restrictions on Windsor Drive between Arlington Avenue and Catherwood Avenue (District 17)

GENERAL ORDINANCE NO. 50, 2009 – authorizes parking changes on New York Street (Districts 17 and 21)

GENERAL ORDINANCE NO. 51, 2009 – authorizes parking changes on Michigan Street (Districts 17 and 21)

GENERAL ORDINANCE NO. 52, 2009 – authorizes the removal of parking meters on both sides of Illinois Street between 38th Street and 39th Street (District 8)

GENERAL RESOLUTION NO. 7, 2009 – establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by James D. and Ova Hix, pursuant to IC 36-1-10.5-5, for construction of a public works project

GENERAL RESOLUTION NO. 8, 2009 - establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by The Riviera Club, Inc., pursuant to IC 36-1-10.5-5, for construction of a public works project

GENERAL RESOLUTION NO. 9, 2009 - approves the issuance of Waterworks District Net Revenue Bonds in an aggregate principal amount of refunding bonds not to exceed \$540,000,000 and other actions in respect thereto

SPECIAL RESOLUTION NO. 18, 2009 – recognizes Paul Estridge and Company for their work on the "Extreme Makeover: Home Edition" initiative and continued work in the Martindale-Brightwood neighborhood

SPECIAL RESOLUTION NO. 19, 2009 – honors Dr. Michael Copper on the occasion of his retirement as Lawrence Township Superintendent of Schools

SPECIAL RESOLUTION NO. 20, 2009 – reviews the 2009 tax rates, tax levies and budgets of certain civil taxing units and adopts recommendations with respect to such tax rates, levies and budgets

Respectfully,
s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of May 18, 2009. There being no additions or corrections, the minutes were approved as distributed.

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

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 154, 157 and 159, 2009 on May 20, 2009. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 154, 2009. The proposal, sponsored by Councillors Brown and Vaughn, appoints Michael Medler to the Domestic Violence Fatality Review Team. PROPOSAL NO. 157, 2009. The proposal, sponsored by Councillor Vaughn, appoints Heather Coffy to the Domestic Violence Fatality Review Team. PROPOSAL NO. 159, 2009. The proposal, sponsored by Councillor Vaughn, appoints Linda Major to the Domestic Violence Fatality

Review Team. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 154, 157 and 159, 2009 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 154, 2009 was retitled COUNCIL RESOLUTION NO. 63, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2009

A COUNCIL RESOLUTION appointing Michael Medler to the Domestic Violence Fatality Review Team.

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 Domestic Violence Fatality Review Team, the Council appoints:

Michael Medler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 157, 2009 was retitled COUNCIL RESOLUTION NO. 64, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2009

A COUNCIL RESOLUTION appointing Heather Coffy to the Domestic Violence Fatality Review Team.

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 Domestic Violence Fatality Review Team, the Council appoints:

Heather Coffy

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. 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. 159, 2009 was retitled COUNCIL RESOLUTION NO. 65, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 2009

A COUNCIL RESOLUTION appointing Linda Major to the Domestic Violence Fatality Review Team.

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 Domestic Violence Fatality Review Team, the Council appoints:

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Linda Major

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. 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. 191, 2009. Councillor Day reported that the Parks and Recreation Committee heard Proposal No. 191, 2009 on May 21, 2009. The proposal, sponsored by Councillors Cain and Day, appoints Mary L. Ellingson to the Indianapolis Greenways Development Committee. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Day moved, seconded by Councillor Cain, for adoption. Proposal No. 191, 2009 was adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 191, 2009 was retitled COUNCIL RESOLUTION NO. 66, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 2009

A COUNCIL RESOLUTION appointing Mary L. Ellingson to the Indianapolis Greenways Development Committee.

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 Greenways Development Committee, the Council appoints:

Mary L. Ellingson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

PROPOSAL NO. 193, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 193, 2009 on May 20, 2009. The proposal, sponsored by Councillor Vaughn, appoints Sheila Carlisle to the Domestic Violence Fatality Review Team. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 193, 2009 was adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 193, 2009 was retitled COUNCIL RESOLUTION NO. 67, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 2009

A COUNCIL RESOLUTION appointing Sheila Carlisle to the Domestic Violence Fatality Review Team.

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 Domestic Violence Fatality Review Team, the Council appoints:

Sheila Carlisle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. 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. 207, 2009. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 25,000 square feet of office space at 6250 West 38th Street for use as a traffic court, clerk's office and probation office of the Marion Superior Court"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 208, 2009. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$450,000 in the 2009 Budget of the Marion County Guardian Home (County General Fund) to fund the ongoing operations and maintenance of the Guardian Home for 2009"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 209, 2009. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of BioStorage Technologies, Inc, which is an applicant for tax abatements for property located in an economic revitalization area"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 210, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Virgil Madden to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 211, 2009. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Aaron Haith to the Indianapolis Housing Agency Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 212, 2009. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the purchase of certain improved land by the Department of Parks and Recreation for the establishment of a centralized maintenance facility"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 213, 2009. Introduced by Councillor Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Fairfax Road and Harlan Street (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 214, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project "; and the President referred it to the Public Works Committee.

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PROPOSAL NO. 215, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the purchase of certain land owned by the Roman Catholic Archdiocese of Indianapolis Properties, Inc. by the Department of Public Works for construction of a stormwater improvements project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 216, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the purchase of certain land owned by Norma Jean and Virgil A. Dollar by the Department of Public Works for construction of a sanitary sewers project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 217, 2009. Introduced by Councillors Hunter and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Sanitary District Revenue Bonds in an amount not to exceed \$480,000,000 to fund capital improvement projects to meet critical deadlines stipulated in the consent decree with the Environmental Protection Agency"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 218, 2009. Introduced by Councillor Coleman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to provide for motorcycle parking meter spaces"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 219, 2009. Introduced by Councillor Lutz. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which confirms the mayor's nomination of Sondra Gunnell to the City-County Ethics Commission"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 220, 2009. Introduced by Councillors Lutz, Pfisterer and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the mayor's establishment of a charter school "Indiana Aerospace Junior/Senior High School" by issuing a charter to Indiana Aviation High School, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 221, 2009. Introduced by Councillors Lutz, Pfisterer and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the mayor's establishment of a charter school, "Irvington Community School" by issuing a charter to Irvington Community School, Inc. "; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 222, 2009. Introduced by Councillors Lutz, Pfisterer and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the mayor's establishment of a charter school, "Paramount School of Excellence" by issuing a charter school to Paramount School of Excellence, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 228, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints JoTherese "Jody" Doyle to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 223-226, 2009 and PROPOSAL NO. 227, 2009. Introduced by Councillor Smith. Proposal Nos. 223-226, 2009 and Proposal No. 227, 2009 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 26 and 29, 2009. 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. 46-50, 2009, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 46, 2009.

2008-ZON-099

3320 SOUTH EMERSON AVENUE (*Approximate Address*)

CITY OF BEECH GROVE, PERRY TOWNSHIP

COUNCIL DISTRICT # 20

THE CITY OF BEECH GROVE requests REZONING of 0.39 acre, from the C-7 District, to the C-3C classification to provide for corridor commercial uses.

REZONING ORDINANCE NO. 47, 2009.

2008-ZON-117

5502 WEST 34th STREET (*Approximate Address*)

INDIANAPOLIS, WAYNE TOWNSHIP

COUNCILMANIC DISTRICT # 7

JOE A., JR. AND LISA J. LIVESAY, by David Kingen, requests REZONING of 0.806 acre, from the D-7 District, to the C-3 classification to legally establish neighborhood commercial uses.

REZONING ORDINANCE NO. 48, 2009.

2009-ZON-008

1375 SOUTH MICKLEY AVENUE (*Approximate Address*)

INDIANAPOLIS, WAYNE TOWNSHIP

COUNCIL DISTRICT # 13

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS, by Roger L. Kessler requests REZONING of 0.68 acre, from the SU-1 District, to the SU-7 classification to provide for charitable, philanthropic and not-for-profit uses, specifically transitional housing.

REZONING ORDINANCE NO. 49, 2009.

2009-ZON-805

2830 MADISON AVENUE, 322 AND 324 WEBB DRIVE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 19

ANDI, INC., by Mary E. Solada, requests REZONING of 0.109 acre, from the D-5 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 50, 2009.

2006-ZON-853

3920 SOUTH POST ROAD (*Approximate Address*)

INDIANAPOLIS, FRANKLIN TOWNSHIP

COUNCILMANIC DISTRICT # 25

GARY A. MILLER AND JODI M. MILLER, by David A. Retherford requests REZONING of 12.733 acres, from the D-A District, to the C-4 classification to provide for community-regional commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 187, 2009. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 187, 2009 on May 27, 2009. The proposal, sponsored by Councillor Hunter, approves an appropriation of \$42,100 in the 2009 Budget of the Department

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of Metropolitan Development (Federal Grants Fund) to fund various historic preservation commission initiatives in the Irvington neighborhood, funded by a Preserve America Grant through the U.S. Department of Interior. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:21 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Plowman, for adoption. Proposal No. 187, 2009 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Cain, Cardwell, Cockrum, Coleman, Day, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

4 NOT VOTING: Brown, Evans, Gray, Oliver

Proposal No. 187, 2009 was retitled FISCAL ORDINANCE NO. 15, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Forty-Two Thousand One Hundred Dollars (\$42,100) in the Federal Grants Fund for purposes of the Department of Metropolitan Development.

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, §1.01(g) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development (DMD) to fund the following activities: to assist the Irvington area in its first few years as a fully designated historic district by creating a body of information and services for the public; to encourage the creation of growth opportunities and preservation of resources in Irvington and its surrounding areas; and to assist in the completion of a Cultural Branding Initiative in order to place Irvington on equal footing for heritage tourism. The previously named activities are financed by the Preserve America Grant Initiative through the U.S. Department of Interior for deposit into the Federal Grants Fund.

SECTION 2. The sum of Forty-Two Thousand One Hundred Dollars (\$42,100) be, and the same appropriated for, the purposes as shown in Section 3 and funded by the sources identified in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	42,100
4. Capital Outlay	0
TOTAL INCREASE	42,100

SECTION 4. The increased appropriation authorized by Section 3 is funded by grant funds financed by the Preserve America Grant Initiative through the U.S. Department of Interior. These funds will allow the Indianapolis Historic Preservation Commission (IHPC) to bolster its existing preservation initiative in Irvington and to provide essential tools for a new phase of preservation activity in Irvington, which steps are called for in the State Historic Preservation Office (SHPO) Preservation Plan, in the Irvington Community Plan, as well as in the Irvington Historic District Plan. The grant provides for resources to complete a Cultural Branding Initiative, National Register nominations, an interactive web map, feasibility studies, and for supporting resources, such as office space, staff resources, building inventory and supplies.

SECTION 5. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

	<u>FEDERAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 3	42,100
TOTAL	42,100

SECTION 6. No local match is required for the Preserve America Grant.

SECTION 7. The council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 188, 2009. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 188, 2009 on May 27, 2009. The proposal, sponsored by Councillors Lewis and Evans, approves an appropriation of \$892,344 in the 2009 Budget of the Department of Metropolitan Development (State Grants and Redevelopment Funds) to fund the repayment of a revolving loan on the Riverside Brownfield project, extension of Intech Boulevard in a Certified Technology Park, and to assist with site improvements at the Lafayette Square Mall consistent with Community Revitalization Enhancement District (CRED) guidelines. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:23 p.m.

Quinn Fultz, former member of the board of the Lafayette Square Area Coalition, said that they are happy the Council is taking steps to help that area of the city.

There being no further testimony, Councillor Smith moved, seconded by Councillor McQuillen, for adoption. Proposal No. 188, 2009 was adopted on the following roll call vote; viz:

29 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy*
0 NAYS:

Proposal No. 188, 2009 was retitled FISCAL ORDINANCE NO. 16, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Eight Hundred Ninety-Two Thousand Three Hundred Forty-Four Dollars (\$892,344) in the State of Indiana Grants Fund and in the Redevelopment Fund for purposes of the Department of Metropolitan Development (DMD).

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, §1.01(g) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development (DMD) to fund the following activities: (1) to allow for the continued repayment of a State Brownfield "pass-through" loan repayment obligation; (2) to assist with redevelopment within a Certified Technology Park (CTP); (3) to provide investment in a designated Community Revitalization Enhancement District

(CRED). The previously named activities are financed (1) by loan repayments from Brownfield Redevelopment Group LLC (BDG—Riverside Project) for deposit into the State of Indiana Grants Fund; (2) by dedicated Certified Technology Park funds in the Redevelopment Fund; and (3) by the Community Revitalization Enhancement District Fund in the Redevelopment Fund.

SECTION 2. The sum of Fifty-Four Thousand Six Hundred Fifty-Nine Dollars (\$54,659) be, and the same appropriated for, the purposes as shown in Section 3 and funded by the sources identified in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>STATE OF INDIANA GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	54,659
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	54,659

SECTION 4. The increased appropriation authorized by Section 3 is funded by loan payments from Brownfield Redevelopment Group, LLC (BDG—Riverside Project). This appropriation will allow Community Economic Development (CED)/Department of Metropolitan Development (DMD) to encumber and to repay the remaining payments of a loan obligation originally incurred in June 2002 as a Brownfield Revolving Loan from the State of Indiana Finance Authority (IFA). DMD is repaying this obligation to IFA on a “pass-through” basis, that is, by using the funds it receives from the subsequent loan made to BDG—Riverside Project. As a result of the original loan from IFA, approximately eight hundred thirty (830) tons of petroleum-contaminated soil from several underground storage tanks was removed and the affected sites were leased to nonprofit, manufacturing, and professional organizations, all of which resulted in commercial growth and/or job retention in the affected areas.

SECTION 5. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

	<u>STATE OF INDIANA GRANTS FUND</u>
New revenues supporting the appropriations in Section 3	<u>54,659</u>
TOTAL	54,659

SECTION 6. The sum of Five Hundred Thirty-Seven Thousand Six Hundred Eighty-Five Dollars (\$537,685) be, and the same appropriated for, the purposes as shown in Section 7 and funded by the sources identified in Section 8.

SECTION 7. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	587,685
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	587,685

SECTION 8. The increased appropriation authorized by Section 7 is funded by grant funds from the Certified Technology Park Fund, which is for use in only CTP-designated areas. These funds will allow Community Economic Development (CED)/Department of Metropolitan Development (DMD) to assist Lauth Property Group with the installation of a road in Intech Park, which was designated a CTP in 2005. The extension of the roadway known as Intech Boulevard will allow Lauth to begin quickly the construction of office buildings on any of four (4) potential sites, which are being redeveloped in an effort to attract and to retain “high technology” companies in partnership with the City of Indianapolis.

SECTION 9. The said increased appropriation is funded by existing revenues, not previously appropriated, that will be deposited into the following fund:

	<u>REDEVELOPMENT FUND</u>
Dedicated revenues supporting the appropriations in Section 7	<u>587,685</u>
TOTAL	587,685

SECTION 10. The sum of Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same appropriated for, the purposes as shown in Section 11 and funded by the sources identified in Section 12.

SECTION 11. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	250,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	250,000

SECTION 12. The increased appropriation authorized by Section 11 is funded by grant funds from the Community Revitalization Enhancement District (CRED) Fund, which is a fund dedicated for use in only established CRED areas under IC 36-7-13 and is intended to encourage investment in areas that have been adversely affected by economic downturn. These funds will allow Community Economic Development (CED)/Department of Metropolitan Development (DMD) to assist the Lafayette Square Mall with site improvements, which are consistent with CRED guidelines and are planned for the property, including exterior lighting, new landscaping, and security camera enhancements.

SECTION 13. The said increased appropriation is funded by existing revenues, not previously appropriated, that will be deposited into the following fund:

	<u>REDEVELOPMENT FUND</u>
Dedicated revenues supporting the appropriations in Section 11	<u>250,000</u>
TOTAL	250,000

SECTION 14. The council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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 15. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 189, 2009. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 189, 2009 on May 27, 2009. The proposal, sponsored by Councillor B. Mahern, approves an appropriation of \$7,118,000 in the 2009 Budget of the Department of Metropolitan Development (Federal Grants Fund) to provide rental assistance, security and utility deposit payments, housing search and placement and other activities associated with homelessness prevention and to develop and provide affordable rental housing and create economic opportunities primarily for people with low-to moderate incomes, financed by federal stimulus funds for homelessness prevention and community development block grants (CDBG) and an available line of credit rollover in the HOME fund with the U.S. Department of Housing and Urban Development (HUD). By an 8-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Coleman asked if these are stimulus funds. Councillor Smith said that a portion of the funds are stimulus dollars. Councillor Coleman said that the federal government is spending above and beyond its needs right now, and the local government should not be helping them do so.

Councillor B. Mahern said that these dollars are mostly Community Development Block Grant monies appropriated last year and not spent, and he urged support of the proposal.

Councillor Nytes asked for consent to abstain from voting on this proposal to avoid the appearance of a conflict of interest. Consent was given.

President Cockrum called for public testimony at 8:15 p.m.

Ernie Scherer, citizen, said that stimulus funds are to go into the community to generate more funds. He asked if the homeless prevention projects are to help people buy homes that they cannot afford, which is why the country is in the trouble it is. He urged Council members to oppose the proposal.

Jennie Fults, administrator of the Division of Community and Economic Development, Department of Metropolitan Development, said that \$6.5 million of this funding are stimulus dollars, \$3.9 million are homelessness prevention dollars, and \$2.5 million are Community Development Block Grant recovery funds. The remaining amount is rollover funds. She added that the homeless prevention funds are regulated by Housing and Urban Development (HUD) and can only be used to help families temporarily who are struggling to maintain housing in this economy with long-term case management.

Councillor Smith moved, seconded by Councillor Day, for adoption. Proposal No. 189, 2009 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
1 NAY: Coleman
1 NOT VOTING: Nytes

Proposal No. 189, 2009 was retitled FISCAL ORDINANCE NO. 17, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Seven Million One Hundred Eighteen Thousand Dollars (\$7,118,000) in the Federal Grants Fund for purposes of the Department of Metropolitan Development (DMD).

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, §1.01(g) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development (DMD) to fund the following activities: (1) to provide short- and medium-term rental assistance, security and utility deposit payments, housing search and placement, and other activities associated with homelessness prevention; (2) to develop and to provide affordable rental housing as well as to create economic opportunities primarily for people of low and of moderate incomes. The previously named activities are financed (1) by Federal Stimulus funds awarded to the City for a Homelessness Prevention Program that will be deposited into the Federal Grants Fund; (2) by Community Development Block Grant (CDBG) Stimulus Funds that were deposited into the Federal Grants Fund; (3) by an available line of credit roll-over in DMD's HOME Fund with the Department of Housing and Urban Development (HUD) that will be deposited into the Federal Grants Fund; (4) by an available line of credit roll-over in DMD's CDBG Fund with HUD that was deposited into the Federal Grants Fund.

SECTION 2. The sum of Six Million Five Hundred Seventeen Thousand Six Hundred Twenty-Four Dollars (\$6,517,624) be, and the same appropriated for, the purposes as shown in Section 3 and funded by the sources identified in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	6,517,624
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	6,517,624

SECTION 4. The increased appropriation authorized by Section 3 is funded by Federal Stimulus Awards for a Homelessness Prevention Program and by CDBG Federal Stimulus Funds. The appropriation for the Homelessness Prevention Program will allow Community Economic Development (CED)/Department of Metropolitan Development (DMD) to provide for financial activities as stipulated by Federal law, including short- and medium-term rental assistance, security and utility deposits and payments, housing search and placement, administrative costs [up to five percent (5%) of the grant award] and other costs associated with homeless. The appropriation for the CDBG Stimulus Funds will enable CED to undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing, and create economic opportunities, primarily for those persons of low and of moderate incomes.

SECTION 5. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

	<u>FEDERAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 3	<u>6,517,624</u>
TOTAL	6,517,624

SECTION 6. The sum of Four Hundred Thousand Dollars (\$400,000) be, and the same appropriated for, the purposes as shown in Section 7 and funded by the sources identified in Section 8.

SECTION 7. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	400,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	400,000

SECTION 8. The increased appropriation authorized by Section 7 is funded by an available line of credit roll-over in DMD's HOME Fund with HUD. This appropriation will be used to develop affordable rental housing.

SECTION 9. The said increased appropriation is funded by an available line of credit roll-over in DMD's HOME Fund with HUD, not previously appropriated, that will be deposited into the following fund:

	<u>FEDERAL GRANTS FUND</u>
Revenues supporting the appropriations in Section 7	<u>400,000</u>
TOTAL	400,000

SECTION 10. The sum of Two Hundred Thousand Three Hundred Seventy-Six Dollars (\$200,376) be, and the same appropriated for, the purposes as shown in Section 11 and funded by the sources identified in Section 12.

SECTION 11. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	200,376
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	200,376

SECTION 12. The increased appropriation authorized by Section 11 is funded by an available line of credit roll-over in DMD's CDBG Fund with HUD. This appropriation will be used to provide decent affordable housing and create economic opportunities.

SECTION 13. The said increased appropriation is funded by an available line of credit roll-over in DMD's CDBG Fund with HUD, not previously appropriated, that will be deposited into the following fund:

	<u>FEDERAL GRANTS FUND</u>
Revenues supporting the appropriations in Section 11	<u>200,376</u>
TOTAL	200,376

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SECTION 14. The council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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 15. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 190, 2009 Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 190, 2009 on May 27, 2009. The proposal, sponsored by Councillors Pfisterer and B. Mahern, approves an appropriation of \$24,236,000 in the 2009 Budget of the Department of Metropolitan Development (Federal Grants Fund) to purchase foreclosed and abandoned housing and to develop, rehabilitate, rent or resell such housing in order to stabilize neighborhoods and stem the decline of housing values, financed by Housing and Urban Development (HUD) as part of the Neighborhood Stabilization Program (NSP). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 8:15 p.m.

Ben Wissel, citizen, said that this should be done by private investors, and these properties are abandoned because no one wants to live in these areas because of unsavory factors like crime. He said fixing up the houses does not mean someone will move in.

Timothy McGuire, Pike Township citizen, asked if local government has the authority to buy public property with no other intent other than to re-sell it.

Councillor B. Mahern moved to amend Proposal No. 190, 2009 by replacing the introduced amount in Section 7 of new revenue supporting the Character 03 appropriation in Section 6 with the correct figure of \$24,236,000. Councillor Mansfield seconded the motion, and the proposal was amended by a unanimous voice vote.

Councillor Nytes asked for consent to abstain to avoid the appearance of a conflict of interest. Consent was given.

Councillor Oliver asked what criteria was used to determine the neighborhoods which would receive this distribution of funds. Ms. Fults said that there were a couple of levels of criteria and processes, the first of which was imposed by HUD, including income, foreclosure density, postal vacancy data, and risk factors for future foreclosures. Another group was formed, which was more data-driven, to look at existing infrastructure resources, high concentration of foreclosures and abandonment, what communities were ready to spend dollars, opportunity for leveraging resources, evidence of private investments, marketable amenities, and geographic boundaries of high foreclosure. Councillor Oliver asked with regard to high concentration of foreclosure and abandoned homes, if wholesale areas are taken into consideration. Ms. Fults said that they considered the highest levels of concentration, as of November 1, 2008, going back several years, and took those concentrated areas with the highest level of density.

Councillor Minton-McNeill asked if any of the neighborhoods had CRED or TIF dollars. Ms. Fults responded in the negative.

Councillor Malone asked if \$5 million of the original \$29 million is going toward administrative costs. Ms. Fults said that the DMD budget allowed \$2.3 million for administration of these

dollars, but other funds were allocated for demolition. Councillor Malone asked if any funds were given to organizations to assist people with legal issues associated with foreclosure and bankruptcy. Ms. Fults said that this was not an eligible activity under the guidelines. Councillor Malone said that she believed this to be a part of the program and will discuss this more at length with Ms. Fults individually.

Councillor Lutz asked if the city does not use this money, what happens to it. Ms. Fults said that if they do not spend the money, the federal government will take it back and spend it in another community across the country.

Councillor Smith moved, seconded by Councillor Day, for adoption. Proposal No. 190, 2009 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
1 NAY: Coleman
1 NOT VOTING: Nytes

Proposal No. 190, 2009 was retitled FISCAL ORDINANCE NO. 18, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Twenty-Four Million Two Hundred Thirty-Six Thousand Dollars (\$24,236,000) in the Federal Grants Fund for purposes of the Department of Metropolitan Development (DMD).

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, §1.01(g) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development (DMD) to fund the following activities: to purchase foreclosed and abandoned housing as well as to develop, to rehabilitate, to rent or to resell such housing in order to stabilize neighborhoods and to stem the decline of housing values. The previously named activities are financed by Neighborhood Stabilization Program (NSP) Grant funds from the U.S. Department of Housing and Urban Development (HUD) for deposit into the Federal Grants Fund.

SECTION 2. The sum of Twenty-Four Million Two Hundred Thirty-Six Thousand Dollars (\$24,236,000) be, and the same appropriated for, the purposes as shown in Section 3 and funded by the sources identified in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	24,026,000
4. Capital Outlay	<u>210,000</u>
TOTAL INCREASE	24,236,000

SECTION 4. The increased appropriation authorized by Section 3 is funded by grant funds from the Neighborhood Stabilization Program (NSP) financed by the Department of Housing and Urban Development (HUD). These funds will allow Community Economic Development (CED)/Department of Metropolitan Development (DMD) to purchase and to rehabilitate foreclosed and abandoned housing as well as to develop, to rehabilitate, to rent or to resell such housing, which activities help to create stable neighborhoods and to stem the decline of housing values in the Indianapolis and Marion County area.

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SECTION 5. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

	<u>FEDERAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 3	24,236,000
TOTAL	24,236,000

SECTION 6. No local match is required for the Neighborhood Stabilization Grant.

SECTION 7. The council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 194 and 195, 2009 on May 20, 2009. He asked for consent to vote on these proposals together. Councillor Lewis asked that the proposals be voted on separately.

PROPOSAL NO. 194, 2009. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves an appropriation of \$90,000 in the 2009 Budget of the Marion Superior Court (Local Grants and Drug Free Community Funds) to provide technical and research assistance, juvenile justice system strategy sessions, supplies, a community court recidivism study and alcohol and drug treatment for community court defendants. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:46 p.m.

Mr. Wissel asked what the juvenile justice strategy session is. Councillor Vaughn said that this work group will look at why some juveniles tend to re-offend while others do not. Mr. Wissel said that he works with special education and at-risk children and teens, and he said that there are very little genetics involved, and pro-social behaviors and aggressive replacement programs should be implemented.

Councillor Lewis asked for consent to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 194, 2009 was adopted on the following roll call vote; viz:

28 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Lewis

Proposal No. 194, 2009 was retitled FISCAL ORDINANCE NO. 19, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Fifty Thousand Dollars (\$50,000) in the Local Grants Fund and Forty Thousand Dollars (\$40,000) in the Drug Free Community Fund for purposes of the Marion Superior 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 1.06(f) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to fund the following: technical and research assistance, supplies, and strategy sessions aimed at analyzing and finding ways to transform and improve the juvenile justice system of Marion County (\$50,000), financed by a grant from the Annie Casey Foundation; landscaping supplies, a recidivism study at Community Court, and alcohol and drug treatment for Community Court defendants (\$40,000), financed by a transfer between characters in the Marion Superior Court's Drug Free Community appropriations.

SECTION 2. The sum of Ninety Thousand Dollars (\$90,000) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>LOCAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	2,000
3. Other Services and Charges	48,000
4. Capital Outlay	0
TOTAL INCREASE	50,000

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	8,500
3. Other Services and Charges	30,000
4. Capital Outlay	1,500
TOTAL INCREASE	40,000

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

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	40,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL REDUCTION	40,000

The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

	<u>LOCAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 3	50,000
TOTAL	50,000

SECTION 5. No local match is required for the Annie Casey Foundation grant.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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.

PROPOSAL NO. 195, 2009. The proposal, sponsored by Councillors Vaughn, Moriarty Adams, Scales and Speedy, approves a transfer and additional appropriation of \$410,000 in the 2009 Budgets of the Department of Public Safety and Indianapolis Metropolitan Police Department (Federal Grants and Federal Law Enforcement Funds) to fund a contract with Health and Hospital

Corporation related to the Urban Area Security Initiative and to conduct investigations into dog fighting and potential fraud cases related to the Supplemental Nutrition Assistance Program. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:51 p.m. There being no one present to testify, Councillor Vaughn moved, seconded by Councillor Mansfield, for adoption. Proposal No. 195, 2009 was adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 195, 2009 was retitled FISCAL ORDINANCE NO. 20, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008, Section 1.01(i)) transferring and appropriating Three Hundred Thousand Dollars (\$300,000) in the Federal Grants Fund for purposes of the Department of Public Safety, and appropriating One Hundred Ten Thousand Dollars (\$110,000) in the Federal Law Enforcement Fund for the purposes of the Indianapolis Metropolitan Police 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 City-County Annual Budget for 2009, Section 1.01(i), be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Public Safety and the Indianapolis Metropolitan Police Department, to fund a contract with the Health and Hospital Corporation related to the Urban Area Security Initiative, financed by a transfer between characters in the Federal Grants Fund, and appropriates funds to the Indianapolis Metropolitan Police Department to conduct investigations into dog fighting and potential fraud cases related to the Supplemental Nutrition Assistance Program, financed by money awarded by the U.S. Department of Agriculture and funded by the US Department of Justice.

SECTION 2. The sum of Four Hundred Ten Thousand Dollars (\$410,000) be, and the same is hereby appropriated for the Department of Public Safety and the Indianapolis Metropolitan Police Department, for the purposes as shown in Section 3 by reducing the appropriated balance as shown in sections 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	300,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	300,000
<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>FEDERAL LAW ENFORCEMENT FUND</u>
1. Personal Services	30,000
2. Supplies	9,725
3. Other Services and Charges	4,400
4. Capital Outlay	65,875
5. Internal Charges	0
TOTAL INCREASE	110,000

SECTION 4. The following appropriation is hereby reduced:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0

2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	300,000
5. Internal Charges	0
TOTAL DECREASE	300,000

SECTION 5. The said additional appropriation is funded by Unappropriated revenues, that will be deposited into the following fund:

	<u>FEDERAL LAW ENFORCEMENT FUND</u>
Federal revenues supporting the appropriations in Section 3	<u>110,000</u>
TOTAL	110,000

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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

PROPOSAL NO. 196, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 196, 2009 on May 20, 2009. The proposal, sponsored by Councillor Vaughn, approves an appropriation of \$5,927,001 in the 2009 budgets of various city departments and county agencies to implement public safety, criminal justice and job creation programs under the Edward Byrne Memorial Justice Assistance Grant (JAG) program, funded with stimulus dollars through the Economic Recovery Act. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Vaughn said that since passage by the committee, one of the appropriations was found to be ineligible for these funds, and therefore an amendment is needed to re-distribute these funds. He made the following motion:

Mr. President:

I respectfully move to amend Proposal No 196, 2009, as introduced and now before this Council, be amended by the revisions to sections 1 and 2, by deleting the portions stricken through and replacing with the underlined portions, as shown below.

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of appropriating funds to various city departments and county agencies to implement public safety, criminal justice and job creation programs under the Edward Bryne Memorial Justice Assistance Grant (JAG) Formula Program, funded through the Economic Recovery Act of 2009, as outlined in sections 2 and 3 of this ordinance.

Criminal Justice Improvements

The Indianapolis Metropolitan Police Department would purchase four new patrol cars, and install Vehicle Radio Modems (VRM) in an additional 5 cars.

Total program costs over life of grant: \$103,000
2009 appropriation: \$103,000

Training & Employment Skills

~~The Indianapolis Fire Department would contract with Target Safety, a web based training organization, to provide comprehensive training for sworn officers and members of Indiana Task Force One in the areas of first response, emergency medicine, emergency vehicle and fire apparatus operation, and other programs.~~

~~Total program costs over life of grant: \$103,000~~
~~2009 appropriation: \$103,000~~

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SECTION 2. The sum of Three Million Seventy Two Thousand Five Hundred Seventeen Dollars (\$3,072,517) be, and the same is appropriated to city departments for the purposes as shown in section 1.

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT (DPS)</u>	(City)	<u>FEDERAL GRANTS FUND</u>
1. Personal Services		0
2. Supplies		0 20,446
3. Other Services and Charges	396,068	396,518
4. Capital Outlay	916,272	998,376
5. Internal Charges		0
TOTAL INCREASE	-1,312,340	1,415,340

Councillor Moriarty Adams seconded the motion.

Councillor Sanders said that the amendment seems like a departure from the original intent. Councillor Vaughn said that the guidelines do not allow them to spend it on the originally intended purpose of training and employment skills.

Councillor Oliver asked if these vehicles will be purchased from an American auto company. Councillor Vaughn said that he has no information other than that they will be patrol cars. Rebecca Swope, Office of Finance and Management, said that IMPD will be purchasing their standard Crown Victoria vehicles, which are American-made. Ms. Swope added that the grant provider, after the initial project list, did not allow the training/employment skills spending.

Proposal No. 196, 2009 was amended by a unanimous voice vote.

Councillor Lewis asked for consent to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

President Cockrum called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Vaughn moved, seconded by Councillor Day, for adoption. Proposal No. 196, 2009, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
1 NAY: Coleman
1 NOT VOTING: Lewis

Proposal No. 196, 2009, as amended, was retitled FISCAL ORDINANCE NO. 21, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008; by appropriating Three Million Seventy Two Thousand Five Hundred Seventeen Dollars (\$3,072,517) in the City of Indianapolis Federal Grants fund, Two Million Eight Hundred Fifty Four Thousand Four Hundred Eighty-Four Dollars (\$2,854,484) in the Marion County Federal Grants Fund and Four Hundred Twenty Seven Thousand Three Hundred Sixty-eight Dollars (\$427,368) in the Information Services Agency Fund, for purposes of those departments and agencies listed below.

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 its adoption, the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of appropriating funds to various city departments and county agencies to implement

public safety, criminal justice and job creation programs under the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program, funded through the Economic Recovery Act of 2009, as outlined in sections 2 and 3 of this ordinance.

Employment & Re-Entry Programs

Marion County Community Corrections will provide a comprehensive on-site vocational education program for electronically monitored offenders. One FTE would be hired to teach employment and job readiness workshops, and to building relationships with community employers who hire ex-offenders.

Total program costs over life of grant: \$117,000
2009 appropriation: \$51,750

The Marion County Sheriff's Department will partner through a multi-year contract with Ivy Tech Community College to offer remedial assistance and instruction in GED preparation for inmates at the Marion County Jail, to encourage employment and reduce recidivism. Remedial courses will be made available to all adult inmates.

Total program costs over life of grant: \$240,000
2009 appropriation: \$240,000

Marion Superior Court Probation Department will provide job readiness skills and employment placement for 260 convicted felony probationers. Pre-employment services and resources are provided by existing Probation Department staff and/or contracted agencies. A small monetary incentive is offered to participating employers, to assist with administrative expenses associated with obtaining tax incentives available for those who employ ex-offenders.

Total program costs over life of grant: \$171,600
2009 appropriation: \$85,800

The Department of Public Safety, working with the Mayor's Office of Offender Re-Entry, will provide transitional employment opportunities to ex-offenders through a partnership with the Indianapolis Department of Public Works and other city departments. Grant dollars would pay to fill 100 vacant temporary positions with ex-offenders per year. An employment specialist would facilitate placement into jobs.

Total program costs over life of grant: \$904,000
2009 appropriation: \$904,000

The Department of Public Safety, working with the Mayor's Office of Offender Re-Entry, requests funds to create a case management information system, to create a module for information requests and analysis along with a web-based interface for offenders, service providers, and the public. Contracts with a criminologist and a database manager would facilitate necessary integration of existing data and create templates for queries and reports for future use.

Total program costs over life of grant: \$90,000
2009 appropriation: \$90,000

Criminal Justice Improvements

The Indianapolis/Marion County Forensic Services Agency would purchase various pieces of analytical equipment to enhance forensic support of the criminal justice system within Marion County.

Total program costs over life of grant: \$538,000
2009 appropriation: \$538,000

The Indianapolis Metropolitan Police Department would upgrade software and equipment for their Automated Fingerprinting Information System (AFIS) to comply with revised national law enforcement standards.

Total program costs over life of grant: \$1,312,340
2009 appropriation: \$1,312,340

Marion County Community Corrections would purchase a computerized security monitoring system for the Duvall Work Release Center, to monitor security staff movement throughout the center and record completion of security activities.

Total program costs over life of grant: \$6,500
2009 appropriation: \$6,500

The Marion County Prosecutor's Office will employ a deputy prosecutor and a paralegal to assist the IMPD Forfeiture Unit. (Two new FTE's) Multi-year funding of these positions would allow the Forfeiture Unit to become self-sustaining by the end of the grant period.

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Total program costs over life of grant: \$246,926
2009 appropriation: \$63,034

The Marion County Sheriff's Department requests funds to purchase a clock-round system for use in Jail 1 and the intake in the City-County Building, to track the movements and locations of inmates and deputies, and to document that deputies have made their rounds checking on inmates in the jails.

Total program costs over life of grant: \$100,000
2009 appropriation: \$100,000

The Marion County Sheriff's Department requests funds to implement a wireless upgrade to the jail which would be instrumental in implementing projects such as electronic inmate medical records, inmate event recording, clock round system, commissary distributions, and other technology improvements.

Total program costs over life of grant: \$285,000
2009 appropriation: \$285,000

The Marion Superior Court would purchase video conferencing equipment to modernize communication between jail inmates and courtroom judges in juvenile, major felony and traffic courts, and for preliminary hearings and bail hearings in other criminal courts.

Total program costs over life of grant: \$191,500
2009 appropriation: \$191,500

The Indianapolis Metropolitan Police Department would purchase four new patrol cars and install Vehicle Radio Modems (VRM) in an additional five cars.

Total program costs over life of grant: \$103,000
2009 appropriation: \$103,000

Juvenile Justice Programs

The City-County Council in cooperation with the Indiana Department of Child Services, through the Early Intervention Planning Council, would launch its pilot program to reduce children and families in juvenile court programs through a comprehensive plan for the prevention and early intervention of children and adolescents at risk of becoming abused, neglected or delinquent.

Total program costs over life of grant: \$354,422
2009 appropriation: \$354,422

The Marion County Public Defender requests funds for Juvenile Hispanic Services; adding three part-time bi-lingual attorneys on contracts and one bi-lingual paralegal on staff would aid communication while reducing the need for interpreters.

Total program costs over life of grant: \$270,000
2009 appropriation: \$112,500

The Marion Superior Court will expand the Juvenile Reception Center from one site to three sites by contracting with a local services agency to provide to staff the additional sites and provide case management for juvenile court services. The Juvenile Court would seek additional grant dollars to support these positions beyond the grant period. Cost savings would also be realized through decreased usage of law enforcement, prosecution, public defense, and court resources through increased capacity in Juvenile Reception.

Total program costs over life of grant: \$575,000
2009 appropriation: \$575,000

Offender Services

Marion County Community Corrections will contract with a nurse practitioner to serve the population at the Duval Work Release Facility by administering medication and first aid, provide medical appointments, write prescriptions, and provide health education to offenders. They request a two-year contract to produce measurable outcomes to be utilized in seeking additional grant dollars.

Total program costs over life of grant: \$190,400
2009 appropriation: \$190,400

Marion County Community Corrections will expand their substance abuse treatment contract with Fairbanks Center to include participants in electronic home monitoring. Contracting with additional substance abuse therapists would provide increased supervision of participants in electronic home monitoring, to further the goal of decreased substance abuse and recidivism.

Total program costs over life of grant: \$400,000
2009 appropriation: \$400,000

Training & Employment Skills

Marion County Community Corrections would provide professional program training for agency staff, to preserve jobs by increasing the value of staff through credentials and certifications in programs such as Thinking For A Change, Cognitive Self Change, and Effective Communication and Motivational Strategies.

Total program costs over life of grant: \$15,000
2009 appropriation: \$15,000

Administration

The Office of Finance & Management will contract with a grant manager to facilitate grant award expenditures and coordinate quarterly program and financial reporting.

Total program costs over life of grant: \$308,755
2009 appropriation: \$308,755

SECTION 2. The sum of Three Million Seventy Two Thousand Five Hundred Seventeen Dollars (\$3,072,517) be, and the same is appropriated to city departments for the purposes as shown in section 1.

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT (DPS)</u>	(City) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	20,446
3. Other Services and Charges	396,518
4. Capital Outlay	998,376
5. Internal Charges	0
TOTAL INCREASE	1,415,340

<u>CITY-COUNTY COUNCIL</u>	(City) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	354,422
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	354,422

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	(City) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	20,000
2. Supplies	0
3. Other Services and Charges	288,755
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	308,755

<u>DEPARTMENT OF PUBLIC SAFETY</u>	(City) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	994,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	994,000

SECTION 3. The sum of Two Million Eight Hundred Fifty Four Thousand Four Hundred Eighty-Four Dollars (\$2,854,484) be, and the same is appropriated to city departments for the purposes as shown in section 1.

<u>MARION COUNTY PROSECUTOR</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	61,298
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	1,736
TOTAL INCREASE	63,034

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<u>MARION COUNTY PUBLIC DEFENDER</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	22,500
2. Supplies	0
3. Other Services and Charges	90,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	112,500

<u>MARION SUPERIOR COURT</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	852,300
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	852,300

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	21,750
2. Supplies	10,000
3. Other Services and Charges	605,400
4. Capital Outlay	<u>26,500</u>
TOTAL INCREASE	663,650

<u>FORENSIC SERVICES AGENCY</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	29,000
4. Capital Outlay	<u>509,000</u>
TOTAL INCREASE	538,000

<u>MARION COUNTY SHERIFF'S DEPARTMENT</u>	(County) <u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	240,000
4. Capital Outlay	<u>385,000</u>
TOTAL INCREASE	625,000

SECTION 4. The sum of Four Hundred Twenty Seven Thousand Three Hundred Sixty-eight Dollars (\$427,368) is appropriated to the Information Services Agency, using revenues from charge backs funded through the appropriations in sections 2 and 3, for the purposes as shown in section 1 of this ordinance.

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	427,368
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	427,368

SECTION 5. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following funds:

	<u>(CITY) FEDERAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 2	<u>3,072,517</u>
TOTAL	3,072,517

	<u>(COUNTY) FEDERAL GRANTS FUND</u>
New revenues supporting the appropriations in Section 2	<u>2,854,484</u>
TOTAL	2,854,484

	<u>INFORMATION SERVICES FUND</u>
New revenues supporting the appropriations in Section 2	<u>427,368</u>
TOTAL	427,368

SECTION 6. The projects to be funded in Section 1 by the U.S. Department of Justice grant, including portions to be appropriated in future years, will total \$6,419,443 million. There is no required local match for these funds. It is anticipated that the balance of the projects not appropriated as part of this ordinance will be appropriated in 2010 and 2011.

SECTION 7. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations 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 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 62, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 62, 2009 on February 11 and April 15, 2009. The proposal was returned to committee by the full Council on May 4, 2009, and the committee again heard the proposal on June 3, 2009. The proposal, sponsored by Councillor Vaughn, approves the consolidation of the Perry Township Fire Department with the Indianapolis Fire Department on or after August 1, 2009. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption.

Councillor Oliver said that it was important that this consolidation be tax sensitive. He said in his view, he would have liked to see it go further with regard to meeting minority goals, but after discussions with Director Scott Newman, he believes him to be an honorable man who will attempt to meet those goals. He said that closing fire stations is no longer on the table, which makes the proposal more palatable, as well.

Councillor Bateman said that he is pleased to hear about the closing of the gap with minorities in rank and file, but still disturbed about the minority commitment in purchasing.

Councillor Sanders said that she agrees with Councillor Bateman, and is concerned about language revolving around MBE and WBE. With a budget as large as IFD, it is concerning that this would fall through the cracks. She said that they need to hold the administration's feet to the fire during budget discussions regarding MBE/WBE participation.

Councillor Evans asked how old the fire stations are in Perry Township. Councillor Vaughn said that some residents testified that some had been newly renovated. Two stations were built in the late 80s, with the newest station built four years ago. Councillor Evans asked if the stations meet NFPA standards. Mark Renner, Deputy Director of the Department of Public Safety, stated that they do meet the standards.

Councillor Hunter agreed that they need to attract more minorities to public safety roles, especially Hispanics and other Spanish-speaking individuals. He said that the administration is committed to looking at this issue.

Councillor Brown said that Councillor Oliver offered an amendment that wanted to put hard figures into the ordinance to achieve MBE/WBE participation goals. Councillor Hunter said that putting in hard figures is not the answer, but he believes the administration is committed to this effort and will continue to address it.

Councillor Sanders said that besides minority races, the diversity with regard to gender also needs to be explored. The population of Indianapolis is made up of 52% women, yet there is only 7% of IFD that is female. She said that this is appalling. Councillor Brown added that 7% is a low

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percentage, made even worse by the fact that there are no women in administration roles. Councillor Pfisterer said that there have been women in administration roles, but they have retired or left of their own volition.

Councilor Lutz said that he represents a district not covered by IFD of Perry Fire. He said that he looked at how Councillors in those districts feel, and they seem to be split on the issue. The Perry Township board voted 6-1 in favor of the merger, and the trustee is in favor of it. He said that he was at first opposed to consolidation, but it seems a lot of bugs have been worked out in the language with the last two mergers, and so he now supports the measure.

Proposal No. 62, 2009, as amended, was adopted on the following roll call vote; viz:

20 YEAS: Cain, Cardwell, Coleman, Hunter, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Vaughn
9 NAYS: Bateman, Brown, Cockrum, Day, Evans, Gray, Lewis, Minton McNeill, Speedy

Councillors Brown, Sanders, Speedy and Mansfield asked for consent to explain their votes. Consent was given. Councillor Brown said that he opposed the proposal because no fiscal impact was done on the merger. Councillor Sanders said that she supported the proposal, but still feels women should have more of a role in the administration, and not all women left of their own volition. Councillor Speedy said that firefighters do a great job and he applauds them, but because of a campaign promise, and uncertainty for the future of Perry Township, he opposed the proposal. Councillor Mansfield said that the voters made it clear they support consolidation with the recent referendum results, and she thanked all those who participated in making this happen.

Proposal No. 62, 2009, as amended, was retitled GENERAL ORDINANCE NO. 53, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2009

PROPOSAL FOR A GENERAL ORDINANCE to approve the consolidation of the Perry Township Fire Department with the Indianapolis Fire Department on or after August 1, 2009;

WITNESSETH THAT:

WHEREAS, substantial operational efficiencies, a reduction of administrative costs, and economies of scale may be obtained through the consolidation of certain functions of local units of government; and

WHEREAS, the territory of the Fire Special Service District overlaps a portion of Perry Township, which results in fire protection services in the Township being provided in part by the Perry Township Fire Department and in part by the Indianapolis Fire Department; and

WHEREAS, the fire protection service needs throughout Perry Township are not so varied or dissimilar that their provision by both the Perry Township Fire Department and the Indianapolis Fire Department is required or justified; and

WHEREAS, Indiana statutes authorize the consolidation of a township fire department located in the county into the Indianapolis Fire Department; and

WHEREAS, the city-county council, having been advised by various persons and organizations with respect to the anticipated consequences of such a consolidation, now finds that such consolidation will serve the public interest by resulting in the provision of an enhanced level of public safety and fire protection services with greater efficiency and at a lower cost; now, therefore,

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

SECTION 1. The Perry Township Fire Department (hereinafter referred to as “Perry FD”) of Perry Township, Marion County, Indiana (hereinafter referred to as “Township”) shall be consolidated into the Indianapolis Fire Department (hereinafter referred to as the “IFD”) of the City of Indianapolis, Indiana (hereinafter referred to as “City”), as authorized by and subject to the provisions of Indiana Code § 36-3-1-6.1, and as further provided herein. Such consolidation shall be effective:

- (a) When the Perry Township Board adopts a resolution approving such consolidation, forwards such resolution to the city-county council, and otherwise complies with all procedural requirements set forth in IC 36-3-1-6.1(g); or
- (b) At 12:00:01 a.m. local time on August 1, 2009;

whichever last occurs (hereinafter referred to as the “effective date”).

SECTION 2. On the effective date and thereafter, IFD shall provide fire protection services within the geographic area of Perry Township where the Perry FD provides fire protection services on the date this ordinance is adopted; however, IFD shall not provide fire protection services within the geographic area of an excluded city established by Indiana Code § 36-3-1-7, unless:

- (a) On the date this ordinance is adopted, Perry FD provides fire protection services within such excluded city pursuant to written agreement between Perry Township and the excluded city, and the City assumes such agreement under SECTION 3 of this ordinance; or
- (b) Prior to the effective date, the City enters into an agreement with the excluded city to provide fire services therein.

SECTION 3. On the effective date, and subject to the provisions of SECTION 8 of this ordinance, all of the real property used as the Perry FD fire stations, as well as all personal property, equipment, records, rights, and contracts that are owned or used by Perry Township for the benefit of Perry FD are transferred to and/or assumed by the City, for and on behalf of the IFD. Such real property and personal property includes but is not limited to the assets listed in this SECTION.

- (a) REAL PROPERTY. The Township shall convey to the City title to the following real property, as well as all physical assets contained therein:
 - (1) The Perry FD Station 61, located at 1108 East Thompson Road;
 - (2) The Perry FD Station 62, located at 7447 South Meridian Street;
 - (3) The Perry FD Station 63, located at 4155 East Stop 11 Road; and
 - (4) The Perry FD Station 64, located at 1925 West Edgewood Avenue.
- (b) VEHICLES. The Township shall convey to the City title to the following vehicles and fire-fighting apparatus:

<i>Asset/Serial No.:</i>	<i>Item Description:</i>	<i>Category Code:</i>
19BBC1214KCA90070	1990	Tiltbed Trailer
49B500E1411007938	1993	Tiltbed Trailer
4P1CT02E9TA000131	1996 PUMPER	RESERVE/PIERCE DASH
2B4FP2539WR70734	1998 CARAVAN	DODGE/C 651
4P1CT02U9WA000657	1998 PUMPER	RESERVE/PIERCE
1GNFK16R1XJ468704	1999 SUBURBAN	CHEVY/C 660
1GKEK13T91J176959	2001 YUKON	GMC B/6
1FMRV16W821B00020	2002 EXPEDITION	FORD 601
1FTR44V42PA60676	2002 RANGER	FORD QUART/MAS 615
2FAFP71W73X126983	2003 CROWN VIC	FORD QM/C 611
1D46P25E55B316969	2005 CARAVAN	DODGE/C 602
1D46P25R35B108835	2005 CARAVAN	DODGE/C 605
1D48P25R15B108834	2005 CARAVAN	DODGE/C 661
1D4GP25R55B108836	2005 CARAVAN	DODGE/C 606
4ENGAAA8841008381	2005 PUMPER	E64/ E-ONE-TYPHOON
4PLCDO1H75A005114	2005 AERIAL	PIERCE / DASH 100FT.
4P1CV01H77A007297	2007 PUMPER	E61/ PIERCE VELOCITY
4P1CV0H27A007448	2007 PUMPER	E62/ PIERCE VELOCITY

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4P1CV01H37A007331	2007 PUMPER	E63/ PIERCE VELOCITY
4ENRAAA8061002137	2006 STRIKE RIG	HEAVY RESCUE/E-ONE TYPH
1FTHX26F6SKA80904	1995 AIR RIG	FORD F250 4X4
1M9DA13A47M646635	2008 AIR RIG	SCOTT-LIBERTY/ TRAILER
134874	2008 SQUAD	E-One/GMC 5500 4 dr 2 X 4
134875	2008 SQUAD	E-One/GMC 5500 4 dr 2 X 4
-----	2009 BC Vehicle	Chevrolet ¾ Ton 4dr 4 X 4
-----	2009 Staff Car	Chevrolet Tahoe 4 X 4

- (c) OTHER PERSONAL PROPERTY. The Township shall convey to the City, on or before the effective date, ownership of all other items of personal property and assets that are owned by the Township as of the date this ordinance, and that are used for the fire and ambulance service and/or necessary for the continuation of fire and ambulance service within the former Perry FD jurisdiction.

The Township shall retain ownership of, and maintain in good repair, all property that will be transferred to the City as provided in this SECTION, continuously from the date this ordinance is adopted until the property is transferred. The Township further shall advise and obtain the written approval of the IFD Chief regarding any acquisition of property, or any agreement to acquire or dispose of property entered into, from the date this ordinance is adopted until the effective date.

SECTION 4. IFD shall continue to operate the fire stations listed in SECTION 3(a) of this ordinance continuously from the effective date until there is countywide fire consolidation or December 31, 2010, whichever first occurs. However, this SECTION shall not require IFD to close existing fire stations in order to continue to operate the stations listed in SECTION 3 (a) of this ordinance or to otherwise alter IFD's responsibilities as set forth at Sec. 252-109 (3).

SECTION 5. On the effective date, the Township Board shall cease to have any authority over Perry FD, including its budget, except as set forth in this ordinance. All responsibility and authority for the consolidated department shall rest with IFD, the City's Department of Public Safety, the City Controller, the Mayor, and the City-County Council. In the preparation of the IFD budget and when making purchases for the IFD, the Director of Public Safety shall consult with the Administrator of the Office of minority-owned and women-owned business enterprises (Sec. 202-204) in order to assure the City-County Council that requirements of Sec. 202-401 are complied with for each budget submitted.

SECTION 6. On the effective date, the employees of the Perry FD shall cease employment with the Perry FD and become employees of the IFD. In this regard, the City shall assume all agreements with labor organizations that are in effect on the effective date and that apply to the employees of the Perry FD who become employees of IFD. Further in this regard, the Township shall advise and consult with the IFD Chief regarding any termination, layoff, or other reduction in force of Perry FD employees, the employment of any additional Perry FD personnel, or the promotion of any Perry FD personnel from the date this ordinance is adopted until the effective date. Subject to the provisions of this SECTION and the provisions of SECTIONS 18 and 19 of this ordinance, all appointments made pursuant to Sec. 252-103 (d), Sec. 252-106 (c) and Sec. 252-107 (c) shall be made together with paramount and lawful consideration of job related qualifications, with the intent to adhere to the following statement of IFD policy:

It shall be the policy of IFD that fire protection services are best performed by a workforce and leadership that represent the community served by such department, in accordance with federal and state laws and regulations

At the request of a majority of the Public Safety and Criminal Justice Committee of the City-County Council, and in no event less than once annually, the Director of Public Safety shall come before the Committee and shall report as to the progress of IFD in achieving the aforesaid goals as to the demographic makeup of IFD. This report shall include the demographic makeup of each recruit class and of each appointment and/or promotion in IFD from the time of the last proceeding report, and further will outline efforts that have been and/or will be made in the coming year with regard to achieving the aforesaid demographic goals. For purposes of this SECTION, the demographic composition of Marion County shall be established by the official statistics published in the latest U.S. Census, or any official interim published U.S. Census projection.

Further, IFD shall institute school-based programs in the public schools of Marion County designed to develop interest in and qualifications for future members of the IFD, including its affiliated emergency medical services and/or service providers by means of promoting specialized training and certification in achieving the designation of emergency medical technician for the benefit of the residents of Marion County.

SECTION 7. On the effective date, the duties of the Perry FD merit board are transferred to and assumed by the City's civilian fire merit board.

SECTION 8. Upon consolidation, any indebtedness related to fire protection services incurred prior to the effective date by the Township, or by any entity on behalf of the Township, shall remain the debt of the Township and does not become a debt of, and may not be assumed by, the City. Such indebtedness shall include, but not be limited to all personnel costs, utility expenses, legal claims and other expenses of providing fire protection service incurred through the day immediately preceding the effective date. In this regard, any indebtedness related to fire protection services incurred prior to the effective date by the City shall remain the debt of the City, and property taxes levied to pay such debt may only be levied by the City's fire special service district or the consolidated fire district as it existed before the effective date.

SECTION 9. Upon consolidation, the Township shall retain all cash assets and investments, and the right to receive all tax levies, assessments and other tax distributions due and payable prior to January 1, 2010, whether or not such sums are paid to the Township prior to that date. The Township shall use any cash assets, investments, tax levies, assessments and other tax distributions designated for firefighting purposes, including, but not limited to, firefighting funds and fire cumulative funds, to pay any indebtedness described in SECTION 8 of this general ordinance. The Township shall transfer any remaining cash assets, investments, tax levies, assessments and revenues designated for the fire fighting and fire pension funds to the City.

SECTION 10. Upon consolidation, the Township shall transfer and remit to the City any and all receivables owed and revenues collected for the Township for obligations that become due and payable on or after January 1, 2010, budgeted or to have been used in connection with firefighting operations and pensions, including but not limited to cash assets, investments, tax levies, assessments and other tax distributions.

SECTION 11. On the effective date, a Perry FD firefighter who was a member of either the 1937 firefighters' pension fund or the 1977 police officers' and firefighters' pension and disability fund prior to the effective date, remains a member of his or her respective fund, and shall receive credit for any service as a member of such fund prior to the effective date, as provided in Indiana Code § 36-3-1-6.1, subsections (h)(2) and (h)(3).

SECTION 12. On the effective date, the Township's local boards for the 1937 firefighters' pension or the 1977 police officers' and firefighters' pension and disability fund are dissolved and their services are terminated, as provided in Indiana Code § 36-3-1-6.1, subsection (h)(6). The duties performed by such local boards under Indiana Code Chapter 36-8-7 and Indiana Code Chapter 36-8-8, respectively, are assumed by the City's local boards.

SECTION 13. Upon consolidation, property taxes to fund the pension obligation under Indiana Code Chapter 36-8-7 for members of the 1937 firefighters fund and to fund the obligation under Indiana Code Chapter 36-8-8 for members of the 1977 police officers' and firefighters pension and disability fund who were members of IFD on December 31, 2008 may be levied only by the fire special service district within the fire special service district. Property taxes to fund the pension obligation for members of the 1937 firefighters fund and members of the 1977 police officers' and firefighters pension and disability fund who were not members of the fire department of the consolidated city on December 31, 2008 may be levied by the consolidated city within the city's maximum permissible ad valorem property tax levy within the fire special service district and the townships whose departments have been consolidated into the fire department of the consolidated city as provided in Indiana Code § 36-3-1-6.1(h)(7).

SECTION 14. On the effective date, the maximum permissible ad valorem property tax levy for fire protection and related services for the Township under Indiana Code Chapter 6-1.1-18.5 for property taxes first due and payable in 2010, is reduced for the Township by the amount equal to the maximum permissible ad valorem property tax levy in 2009 for fire protection and related services for the Township, and such levy is transferred to the consolidated city as provided in Indiana Code § 36-3-1-6.1, subsection (h)(4)(B).

SECTION 15. On the effective date, the ad valorem property tax levy for the Township's fire cumulative building and equipment fund for property taxes first due and payable in 2010, is reduced for the Township by the amount equal to the property tax levy in 2009 for the Township's fire cumulative building and equipment fund and such levy is transferred to the consolidated city as provided in Indiana Code § 36-3-1-6.1, subsection (h)(5).

SECTION 16. The Township currently uses its certified monthly distribution of the county option income tax (hereinafter referred to as "COIT") to pay the costs of operating Perry FD. The Township and the City shall enter into an interlocal agreement regarding the transfer of COIT used to pay the costs of operating the Perry FD to the City for the cost of operating IFD in the Township.

SECTION 17. On the effective date and thereafter, the City shall establish, operate, and maintain fire-based emergency ambulance services in that part of the Township currently served by Perry FD, as provided in

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Indiana Code § 36-3-1-6.2.

SECTION 18. On the effective date and thereafter, Perry FD firefighters, who were represented by Local 416-Perry Township prior to consolidation, shall continue to be represented by Local 416 so long as Local 416 is the chosen bargaining representative of the firefighters of the consolidated department. The working conditions contained in the collective bargaining agreement between Local 416 and IFD on the date this ordinance is adopted, and IFD's rules and regulations, shall apply to the Perry FD firefighters, including the staffing levels set forth in that agreement.

SECTION 19. Salaries of Perry FD firefighters shall become consistent with IFD on the effective date. This provision does not limit the ability of Local 416 and the City to negotiate regarding firefighter wages and benefits.

SECTION 20. Upon consolidation, the Indianapolis Consolidated Fire Service District tax rate for 2010 shall be equal to the certified Indianapolis Consolidated Fire Service District tax rate from 2009. Further upon consolidation, the overall total of the Perry Township Fire services tax rate for 2010 shall be reduced by five thousandths (.005) from the certified overall total of the Perry Township Fire services tax rate for 2009.

SECTION 21. 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 22. 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 23. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 145, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 145, 2009 on May 5 and 19, 2009. The proposal, sponsored by Councillor Vaughn, amends the Code to transfer the ordinance violations bureau from the office of corporation counsel to the office of finance and management. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Day, for adoption. Proposal No. 145, 2009 was adopted on the following roll call vote; viz:

28 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
0 NAYS:
1 NOT VOTING: *Coleman*

Proposal No. 145, 2009 was retitled GENERAL ORDINANCE NO. 54, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2009

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to transfer the ordinance violations bureau from the office of corporation counsel to the office of finance and management.

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

SECTION 1. Section 202-105 of the "Revised Code of the Consolidated City and County," regarding powers and duties of the office of corporation counsel with respect to the ordinance violations bureau, hereby is REPEALED.

SECTION 2. Article III of Chapter 202 of the "Revised Code of the Consolidated City and County," regarding the office of finance and management, hereby is amended by the addition of a NEW Section 202-208 regarding the ordinance violations bureau, to read as follows:

Sec. 202-208. Ordinance violations bureau.

(a) An ordinance violations bureau is established within the office of finance and management for purposes authorized by IC Article 33-36.

(b) The bureau shall be administered by a violations clerk appointed by and serving at the pleasure of the controller.

(c) The bureau shall be responsible for processing ordinance violations which are enforced pursuant to the procedures set forth in Chapter 103, Article III, of the Code.

SECTION 3. 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 4. 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 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 147, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 147, 2009 on May 5 and 19, 2009. The proposal, sponsored by Councillors Minton McNeill, Pfisterer and Evans, amends Article V of Chapter 283 of the Revised Code of the Consolidated City and County with respect to the Marion County Early Intervention Planning Council. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Malone stated that there is a difficulty in continuing to have planning councils without aggregate information about what they are trying to do. She said that there have been silos of information gathered on this issue, but it is still not being addressed. Although there have been a number of good-hearted efforts, it still has not been addressed. She said that leaving foster parents out of the composition of this council is an oversight, and she has served on task forces and worked in the courts, and nothing is being accomplished.

Councillor Pfisterer said that she respects Councillor Malone's experience with the court system and cannot truly relate, but the thrust of this initiative is to identify children before they enter the juvenile system, in order to keep them out of that system. She said that they want to do this in an efficient manner, without kids having to go from agency to agency to agency. They want to help families in the early stages, and while foster parents' input would be welcomed, the goal is to keep these kids with their families.

Councillor Pfisterer moved, seconded by Councillor McQuillen, for adoption. Proposal No. 147, 2009 was adopted on the following roll call vote; viz:

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22 YEAS: Bateman, Cain, Cardwell, Cockrum, Day, Evans, Hunter, Lewis, Lutz, MahernB, MahernD, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Pfisterer, Plowman, Scales, Speedy, Vaughn
5 NAYS: Gray, Malone, Oliver, Sanders, Smith
2 NOT VOTING: Brown, Coleman
0 ABSENT:

Proposal No. 147, 2009 was retitled GENERAL ORDINANCE NO. 55, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2009

A PROPOSAL FOR A GENERAL ORDINANCE amending Article V of Chapter 283 of the Revised Code of the Consolidated City and County with respect to the Marion County Early Intervention Planning Council.

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

SECTION 1. Article V of Chapter 283 of the Revised Code of the Consolidated City and County be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text, to read as follows:

ARTICLE V. MARION COUNTY EARLY INTERVENTION PLANNING COUNCIL
~~DIVISION 1. GENERALLY~~

Sec. 283-501. Definitions.

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

- (a) ~~EIPC~~ means the Marion County Early Intervention Planning Council.
- (b) ~~Director~~ means the Director of the Department of Child Services (Marion County Office) ~~of Family and Children, unless the city-county council elects to designate an existing organization as the county's team for purposes of this article. If the council designates an existing organization pursuant to this subsection and section 284-503, the director shall be the chairperson of the designated organization.~~
- (c) ~~Executive team~~ means the members as determined by this article.
- (d) ~~Participant agencies~~ include the Marion County Sheriff's Department, Indianapolis Metropolitan Police Department, Marion County Prosecutor, Public Defender, Community Corrections, Beech Grove Schools, Decatur Township School Corporation, Indianapolis Public Schools, Franklin Township School Corporation, Lawrence Township School Corporation, Perry Township School Corporation, Pike Township School Corporation, Speedway School Corporation, Washington Township School Corporation, Warren Township School Corporation, Wayne Township School Corporation, Wishard Memorial Hospital, Department of Child Services (Marion County Office) ~~of Family and Children~~, Mayor of Indianapolis, Courts, and others as may from time to time be designated by the city-county council.
- (e) ~~Courts~~ includes the Circuit and Superior Courts of Marion County.
- (5) Regional Services Council means the Regional Services Council serving Marion County as established under IC 31-26-6-2.

~~DIVISION 2. COUNCIL~~

Sec. 283-502. Established, purposes ~~—~~; ~~appointment and qualifications of members and of the chairperson.~~

- (a) There is hereby established the Marion County Early Intervention Planning Council, hereinafter designated as the EIPC.

(b) The purpose of the EIPC shall be to develop a plan for early intervention that is tailored to provide services targeted to the individual needs of children who:

- (1) Have been either adjudicated as, or alleged in a proceeding initiated under IC 31-34 or IC 31-37, et seq., to be, children in need of services or delinquent children;
- (2) Identified by the Department of Child Services, (Marion County Office) of Family and Children ("county office"), based on information received from:
 - a.(i) A school;
 - b.(ii) A social service or community agency or organization;
 - c.(iii) A court;
 - d.(iv) A probation department; or
 - e.(v) The child's parent or guardian; ~~or and~~
 - (vi) An interested person in the community having knowledge of the child's environment and family circumstances; and, after an informal investigation, as substantially at risk of becoming delinquent children; and
 - f. any participant agency identified in Sec. 283-501(3).
- (3) Have been referred to the county office by, or with the consent of, the child's parent, guardian, or custodian, for services to be provided through the plan based on an individual case plan for the child.
- (4) Any child identified as at-risk of being a child in need of services or a delinquent child by the Department of Child Services, a school, any of the participant agencies, or community organizations.

Sec. 283-503. Membership, appointment and qualification of members.

(a) The membership of the council shall be composed of the following thirteen members; each of whom shall serve at the pleasure of the appointing authority:

- (1) The Director
- (2) A deputy mayor or senior member of the mayor's staff appointed by the Mayor.
- (3) The city controller or a member of the controller's staff appointed by the Mayor.
- (4) The majority leader of the city-county council, or member of the city-county council nominated by the majority leader, appointed by the city-county council.
- (5) The minority leader or member of the city-county council nominated by the minority leader, appointed by the city-county council.
- (6) One member (i) ~~Two (2) members~~ appointed by the judge or judges of the juvenile court, for a term ending December 31 of odd numbered years.
- (7) One (1) ~~of whom is a~~ representative of the probation department, appointed by the judge or judges of the juvenile court for a term ending December 31 of even numbered years.
- (8) (ii) ~~Two (2) members~~ appointed by the director of the county office, as follows: (1) One (1) ~~is a~~ member of the child welfare staff of the county office of department of child services, appointed by the director for a term ending December 31 of odd numbered years.
- (9) (2) One (1) member who is either: an interested resident of the county; or a representative of a social service agency; who knows of child welfare needs and services available to residents of the county appointed by the director for a term ending December 31 of even numbered years.
- (10) (iii) One (1) member appointed by the superintendent of the largest school corporation in the county for a term ending December 31 in odd numbered years.
- (11) (iv) Five (5) members appointed by the city-county council as follows: (1) One (1) of whom member who is a representative of one of the remaining school corporations in the county appointed by the city-county council for a term ending December 31 of even numbered years.

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- (12) ~~(2) One member (1) of whom who~~ is a representative of the community mental health centers that serve Marion County appointed by the city-county council for a term ending December 31 of odd numbered years.
- ~~(3) One (1) appointed by the city-county council having experience or training in public accounting or public finance.~~
- ~~(4) One (1) member of the city-county council appointed by the minority leader.~~
- ~~(5) The majority leader or his designee who must also be a member of the city-county council.~~
- ~~(v) The director as determined by the provisions of section 283-501(b)~~
- (13) ~~(vi) The director may appoint~~ One (1) ~~additional~~ member from among interested or knowledgeable residents of the community or of agencies providing services to or for children in the county appointed by the director for a term ending December 31 in even numbered years.

(b) Members appointed under paragraphs (6) through (13) of subsection (a) shall be appointed for two years terms and serve at the pleasure of the appointing official or agency. Any vacancies occurring by reason of death, resignation or removal shall be filled for the balance of the term.

(c) The terms of current members serving in appointments for terms ending in odd numbered years shall be extended to December 31, 2010.

Sec. 283-504. Officers quorum and meetings.

(a) The officers of the EIPC shall consist of co-chairpersons: The director and one of the city-county council appointees elected annually by the membership of EIPC. The EIPC may select a secretary from among its members.

~~(b)~~ A majority of the members shall constitute a quorum.

~~(c) The EIPC shall meet quarterly and at such times as called by either co-chairperson.~~

~~(e) The director may be counted for purposes of determining whether a quorum is present but may not vote on any proposal or issue before the members for a vote unless the vote by the director would break an otherwise tie vote.~~

~~(d)~~ At least quarterly, the EIPC shall:

(1) Develop, review, or revise a strategy that identifies;

~~a. (A)~~ The manner in which prevention and early intervention services will be provided or improved;

~~b. (B)~~ How local collaboration will improve children's services; and

~~c. (C)~~ How different funds can be used to serve children and families more effectively.

(2) Reorganize as needed ~~and select its vice chairperson for the ensuing year.~~

(3) Review the implementation of the plan and prepare revisions, additions, or updates of the plan that the council considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the plan.

(4) Prepare and submit to the city-county council a report on the operations of the plan during the preceding year and a revised and updated plan for the ensuing year.

~~**Sec. 283-503. Designation of existing organization as the team.**~~

~~The council may elect to designate for purposes of this section an existing organization or group for purposes of this article. The group to be considered for such designation must include representatives of all appointing authorities described in section 283-502.~~

Sec. 283-504~~5~~. Mission generally.

(a) It shall be the mission of the EIPC to develop in collaboration with the regional services council a plan that:

- (1) Promotes the welfare of children and self sufficiency of families with children at risk of abuse or neglect, dependency, or delinquency, as defined or described in this article.
- (2) Promotes the prevention or reduction in the number of cases of child abuse, delinquency, or neglect that may require juvenile court intervention.
- (3) Promotes the coordination of available resources to promote efficiency and avoid duplication of programs and services,
- (4) Reduces or minimizes the cost of providing services to children and families with children who are or may become delinquent children,
- (5) Reduces or eliminates to the extent possible the need to remove children from their parents, guardians, or custodians for foster home care or institutional placement.

(b) The ~~council~~ EIPC may adopt as its plan an existing plan for provision of family preservation services, as defined in IC. ~~42-7-2-82.3~~ 31-26-6-5, that:

- (1) Is in effect in Marion County;
- (2) Includes services for a child less than eighteen (18) years of age who:
 - a. reasonably may be expected to face out-of-home placement under IC 31-34 or IC 31-37 as a result of:
 - (A) Dependency, abuse or neglect;
 - (B) Emotional disturbance; ~~or~~
 - (C) Delinquency adjudication; ~~and or~~
 - b. is identified as at-risk because of abuse, neglect, or delinquency, and
- (3) Addresses all of the objectives described in this article.
- (c) EIPC shall monitor and evaluate the implementation of the plan.
- (d) EIPC shall report to the city-county council on plan operations on a regular basis.

~~Sec. 283-505. Organization meeting.~~

~~The director or chairperson shall convene an organizational meeting of the members of the council appointed under subsection 502(b) of this article. The director or chairperson shall serve as the chairperson of the team. The team shall select one (1) of its members as vice chairperson.~~

~~Sec. 283-506. Initial plan.~~

~~Before January 31, 2006 and before July 1 of each year thereafter, the council shall prepare and submit to the judge(s) having juvenile jurisdiction the council's plan for review and comment. The judge(s) shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The council shall before July 25, 2006, and January 25 of each year thereafter, transmit a copy of the initial plan, including any comments from the judge(s), to:~~

- ~~(1) The director; and~~
- ~~(2) The state superintendent of public instruction.~~

Sec. 283-507~~6~~. Programs to be considered in preparing the plan.

The EIPC shall biennially review and consider existing publicly and privately funded programs that are available or that could be made available in Marion County to provide supportive services to or for the benefit of children described in subsection 502(b) of this article without removing the child from the family home, including programs funded through the following:

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- (1) Title IV-B of the Social Security Act (42 U.S.C. 620, et seq.).
- (2) Title IV-E of the Social Security Act (42 U.S.C. 670, et seq.).
- (3) Title XX of the Social Security Act (42 U.S.C. 1397, et seq.).
- (4) The Child Abuse Prevention and Treatment Act (42 U.S.C. 5106, et seq.).
- (5) Community corrections programs under IC 12-1.
- (6) Special education programs under IC ~~20-1-6-19-20-35-6-2~~.
- (7) All programs designed to prevent child abuse, neglect, or delinquency, or to enhance child welfare and family preservation ~~administered by, or through funding provided by, the division of family and children, county offices, prosecutors, or juvenile courts, including programs funded under I.C. 12-19-7 and I.C. 31-40.~~
- (8) Probation user's fees under IC 31-40-2-1.
- (9) The child advocacy fund under IC 12-17-17.

~~Sec. 283-508. Adoption of existing plan as initial plan.~~

~~Sec. 283-509. Comments and recommendations of director or superintendent of public instruction.~~

~~The director or the state superintendent of public instruction may, not later than thirty (30) days after receiving the plan, transmit to the council and the city-county council any comments, including recommendations for modification of the plan, that the director or the state superintendent of public instruction considers appropriate.~~

~~Sec. 283-5407. Funding.~~

~~(a) Upon receiving the initial plan and each revised or updated plan, EIPC shall propose to the city-county council shall consider the a plan in developing the family and children's fund budget for EIPC.~~

~~(b) The city-county council may appropriate from the family and children's fund any amounts necessary to provide funding to implement the plan.~~

~~(b) Each year on or before June 30, EIPC shall submit to the city-county council a proposed annual budget for the next calendar year to be included in the annual budget for the city and county. Funding for EIPC shall include:~~

- ~~(1) funds appropriated by the city-county council from a city or county fund,~~
- ~~(2) state funds,~~
- ~~(3) federal funds, and~~
- ~~(4) any other funds through donations or gifts.~~

~~(c) The budget for EIPC shall be included as part of the budget for the city-county council, administered by the president of the city-county council.~~

~~(d) If the budget authorizes contractual expenditures to provide services contemplated by the plan, the chief fiscal officer of the city-county council shall serve as contract administrator.~~

~~(e) If the budget authorizes third-party grants for provision of services contemplated by the plan, such grants shall be subject to the provisions of ordinances applying to public service grants.~~

~~Sec. 283-511. Meeting of EIPC.~~

~~(a) The Marion County Early Intervention Planning Council (EIPC) shall meet at least one (1) time each year to do the following:~~

~~(1) Develop, review, or revise a strategy that identifies;~~

- ~~(A) The manner in which prevention and early intervention services will be provided or improved;~~

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- ~~(B) How local collaboration will improve children's services; and~~
- ~~(C) How different funds can be used to serve children and families more effectively.~~
- ~~(2) Reorganize as needed and select its vice chairperson for the ensuing year.~~
- ~~(3) Review the implementation of the plan and prepare revisions, additions, or updates of the plan that the council considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the plan.~~
- ~~(4) Prepare and submit to the city county council a report on the operations of the plan during the preceding year and a revised and updated plan for the ensuing year.~~
- ~~(b) The chairperson or vice chairperson of the council or the city county council may convene any additional meetings of the council that are, in the chairperson's or the vice chairperson's opinion, necessary or appropriate.~~

Sec. 283-51208. Officers and agencies to receive copies of plans and reports.

The EIPC or the city-county council shall transmit copies of ~~the initial plan~~, each annual report, and each revised plan to the following:

- (1) The director.
- (2) The state superintendent of public instruction.
- (3) ~~The Marion County Office of Family and Children~~ Regional Services Council.
- (4) The juvenile court.
- (5) The superintendent of each public school corporation in the county.
- (6) ~~The local step ahead council~~ Any charter school operating in the county.
- (7) Any public or private agency that:
 - ~~a. (A)~~ Provides services to families and children in the county that requests information about the plan.
 - ~~b. (B)~~ The ~~council~~ EIPC has identified as a provider of services relevant to the plan.

Sec. 283-51309. Publicizing plan to Marion County residents.

EIPC or the city-county council shall publicize to residents of Marion County the existence and availability of the plan.

~~Sec. 283-514. Use of plan by juvenile court and child protection services.~~

~~The:~~

- ~~(1) Juvenile court, in implementing a program of informal adjustment for a child under I.C. 31-34-8; and~~
- ~~(2) Local child protection service, in proposing a voluntary services referral agreement for the benefit of a child under I.C. 31-33-13;~~

~~shall consider and use to the extent feasible any available services described in an early intervention plan approved under this article pursuant to I.C. 31-37-24, et seq.~~

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

PROPOSAL NO. 148, 2009. Councillor Cardwell reported that the Economic Development Committee heard Proposal No. 148, 2009 on May 20, 2009. The proposal, sponsored by Councillor Cockrum, approves statement of benefits for four applicants to allow partial tax

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abatements for those properties located in a designated Economic Revitalization Area as per IC 36-7-15.1-26. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cardwell moved, seconded by Councillor Smith, for adoption. Proposal No. 148, 2009 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Cain, Cardwell, Cockrum, Day, Evans, Gray, Lewis, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
2 NAYS: Hunter, Lutz
2 NOT VOTING: Brown, Coleman

Proposal No. 148, 2009 was retitled GENERAL RESOLUTION NO. 10, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 2009

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of each of the following: Midwest Logistics, L.P.; GyanSys, Inc.; McGowan Legacy, LLC; and, AIT Laboratories/AIT BioSciences, LLC; all (hereinafter referred to collectively as "Applicants") of which are applicants for tax abatements for property located in an allocation area as defined by IC § 36-7-15.1-26.

WHEREAS, IC § 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC § 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC § 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC § 6-1.1-12.1-2(l) (as amended, effective July 1, 2008), a statement of benefits for property located within an allocation area, as defined by IC § 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicants have submitted Statement of Benefits to the MDC as part of their application for Economic Revitalization Area designation for properties where Applicant's Projects will occur and which are located within an allocation area, as defined by IC § 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicants' Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Areas and related tax abatements pursuant to IC § 6-1.1-12.1; now, therefore:

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

SECTION 1. The Council hereby approves the Statements of Benefits which were submitted to the MDC as part of applications for Economic Revitalization Area designation, by the following entities:

Midwest Logistics, L.P.;
GyanSys, Inc.;
McGowan Legacy, LLC; and,
AIT Laboratories/AIT BioSciences, LLC.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 150, 2009. Councillor McQuillen reported that the Municipal Corporations Committee heard Proposal No. 150, 2009 on May 21, 2009. The proposal, sponsored by Councillors Lutz and McQuillen, approves the Library Capital Project Fund Plan of the Indianapolis-Marion County Public Library. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Lutz said that this is a way for the libraries to set aside funds for capital improvements, and some of these funds will be used for software improvements to help give citizens access to the internet and online applications.

Councillor McQuillen moved, seconded by Councillor Cain, for adoption. Proposal No. 150, 2009 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 NOT VOTING: Brown, Coleman

Proposal No. 150, 2009 was retitled GENERAL RESOLUTION NO. 11, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 2009

A PROPOSAL FOR A GENERAL RESOLUTION approving the Library Capital Project Fund Plan of the Indianapolis – Marion County Public Library.

WHEREAS, pursuant to I.C. 36-12-12-3, the Indianapolis-Marion County Library Board adopted its Library Capital Projects Fund Plan for 2008-2010 on April 16, 2009, and certified the plan to the City-County Council on April 24, 2009; and

WHEREAS, pursuant to I.C. 36-12-12-4 the City-County Council is required to hold a public hearing on the plan within thirty days of its receipt and either approve or reject the plan before August 1, 2009; and

WHEREAS, the City-County Council advertised and held the public hearing on the plan before its Municipal Corporations Committee on May 21, 2009; and

WHEREAS, the Indianapolis – Marion County Public Library is an integral and necessary component of the quality of life we enjoy in Indianapolis – Marion County. By its services, it makes major contributions to the education and information availability provided to our citizens and contributes to the economic and cultural development of our community; and

WHEREAS, the City-County Council recognizes the Library's need to upgrade its service components and facilities in order to sustain and to improve the services offered to the citizens in our community; and

WHEREAS, the City-County Council hereby endorses the concept as expressed in the Library's Capital Projects Fund Plan for 2010-2012 as adopted by the Indianapolis-Marion County Public Library Board of Trustees; now, therefore:

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

SECTION 1. The Library Capital Projects Fund Plan adopted by the Indianapolis-Marion County Public Library Board of Trustees on April 16, 2009 is hereby approved.

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

June 8, 2009

PROPOSAL NO. 185, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 185, 2009 on May 19, 2009. The proposal, sponsored by Councillor McQuillen, approves a form of amendment to the Lease of certain secondary jail facilities with Building Authority and authorizes the execution of such amendment, the issuance of refunding bonds by the Authority, and related matters. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders said that since these lease payments are preliminary and subject to change, she asked if there is any indication if they will increase or decrease. Kevin Taylor, executive director of the Indianapolis Bond Bank, stated that they do not know the exact terms or direction of the market, and these issues will affect the new lease payments, but they should not vary significantly from those presented. Councillor Sanders asked if the first payment date of June 30, 2009 is correct. Mr. Taylor said that it is, and this money has already been appropriated in this year's budget.

Councillor Lutz asked if this is a refinancing and is not new bonds. Mr. Taylor said that this is correct.

Councillor Pfisterer moved, seconded by Councillor Lutz, for adoption. Proposal No. 185, 2009 was adopted on the following roll call vote; viz:

25 YEAS: Cain, Cardwell, Cockrum, Day, Evans, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

4 NOT VOTING: Bateman, Brown, Coleman, Gray

Proposal No. 185, 2009 was retitled GENERAL ORDINANCE NO. 56, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2009

A GENERAL ORDINANCE approving a form of amendment to the Lease (as hereinafter defined) of certain secondary jail facilities with the Indianapolis-Marion County Building Authority (the "Authority") and authorizing the execution of such amendment to the Lease, the issuance of refunding bonds by the Authority, and matters related thereto.

WHEREAS, the Authority, acting pursuant to the provisions of Indiana Code 36-9-13, as amended (the "Act"), has previously issued its Jail Building Bonds of 1997, dated as of February 5, 1997, in the original aggregate principal amount of Ten Million Four Hundred Ninety-Five Thousand Dollars (\$10,495,000) (the "1997 Bonds"); and

WHEREAS, the 1997 Bonds are currently outstanding in the aggregate principal amount of Six Million One Hundred Seventy-Five Thousand Dollars (\$6,175,000) (the "Outstanding 1997 Bonds"); and

WHEREAS, the Board of Directors of the Authority (the "Board") now desires to issue bonds of the Authority to refund all of the Outstanding 1997 Bonds to realize a substantial savings to the Authority and to Marion County, Indiana (the "County"), in accordance with Indiana Code 5-1-5, as amended; and

WHEREAS, on May 5, 2009, the Board adopted a resolution (the "Bond Resolution") authorizing the issuance of refunding bonds of the Authority to be designated as "Indianapolis-Marion County Building Authority Taxable Jail Building Refunding Bonds, Series 2009", in the total principal amount not to exceed Six Million Eight Hundred Thousand Dollars (\$6,800,000) (the "Refunding Bonds"), for the purpose of providing funds for the payment of costs of (i) refunding the Outstanding 1997 Bonds and (ii) issuing the Refunding Bonds; and

WHEREAS, the 1997 Bonds are secured, in part, by a Lease, dated as of December 31, 1996, between the Authority, as lessor, and the County, as lessee, of a Secondary Jail Facility (the "Lease"); and

WHEREAS, the City-County Council of Indianapolis and of the County (the "City-County Council") has been advised that the refunding of the Outstanding 1997 Bonds by the Authority through the issuance of its Refunding Bonds will result in a significant savings in rent payments due under the Lease; and

WHEREAS, there is before this City-County Council a copy of an Amendment to Lease (the "Amendment") and an estimate of amounts by which payments under the Lease, as amended by the Amendment, may be reduced by virtue of the issuance of the Refunding Bonds; now, therefore:

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

SECTION 1. The City-County Council now finds that the refunding of the Outstanding 1997 Bonds will result in a significant reduction in rental payments due under the Lease.

SECTION 2. The Amendment, in the form presented to this meeting and attached hereto as Exhibit A and incorporated herein by reference, is hereby approved. The Mayor of the City of Indianapolis, Indiana ("Mayor") is hereby authorized and directed to execute the Amendment in the name and on the behalf of the County, and the Auditor of the County ("Auditor") is hereby authorized and directed to attest the Amendment.

SECTION 3. The issuance by the Authority of its Refunding Bonds for the purpose of refunding the Outstanding 1997 Bonds, and the sale of the Refunding Bonds to The Indianapolis Local Public Improvement Bond Bank, is hereby approved.

SECTION 4. The Mayor and the Auditor are hereby authorized and directed to execute any and all other documents and certificates, and to take any and all actions necessary to give effect to this ordinance.

SECTION 5. This ordinance 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.

**AMENDMENT TO LEASE
(Secondary Jail Facility)**

THE INDIANAPOLIS-MARION COUNTY BUILDING AUTHORITY, as Lessor (the "Lessor"), and MARION COUNTY, INDIANA, as Lessee (the "Lessee"), under a Lease originally dated as of December 31, 1996, and recorded in the office of the Marion County Recorder on February 10, 1997 as **Instrument Number 1997-0025061** (collectively, the "Lease") hereby agree that the Lease shall be, upon the execution hereof, amended as follows:

"Section 2(b) of the Lease is hereby amended to provide that lease payments shall be paid on the dates and in the amounts set forth in the revised Lease Payment Schedule attached hereto as Exhibit A."

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Lease to be executed for and on their behalf as of the ____ day of _____, 2009.

June 8, 2009

EXHIBIT A

**Indianapolis-Marion County Building Authority
and Marion County, Indiana**

LEASE PAYMENT SCHEDULE

<u>Payment Date</u>	<u>Lease Payment</u>
06/30/2009	\$466,000
12/30/2009	\$466,000
06/30/2010	\$470,000
12/30/2010	\$470,000
06/30/2011	\$484,000
12/30/2011	\$484,000
06/30/2012	\$484,000
12/30/2012	\$484,000
06/30/2013	\$484,000
12/30/2013	\$484,000
06/30/2014	\$483,000
12/30/2014	\$483,000
06/30/2015	\$480,000
12/30/2015	\$480,000
06/30/2016	\$480,000
12/30/2016	\$480,000

*Preliminary, subject to change

PROPOSAL NO. 186, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 186, 2009 on May 19, 2009. The proposal, sponsored by Councillor McQuillen, approves the issuance of refunding bonds of the Indianapolis Public Transportation Corporation and certain special taxing districts. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Day, for adoption. Proposal No. 186, 2009 was adopted on the following roll call vote; viz:

27 YEAS: Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 NOT VOTING: Bateman, Coleman

Proposal No. 186, 2009 was retitled GENERAL RESOLUTION NO. 12, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 2009

A GENERAL RESOLUTION approving the issuance of refunding bonds of the Indianapolis Public Transportation Corporation (the "IPTC") and certain special taxing districts of the City of Indianapolis, Indiana (the "City"), in one or more series, to currently refund prior bonds.

WHEREAS, the Board of Directors of the IPTC (the "IPTC Board") has previously issued the IPTC's (i) "General Obligations Bonds, Series 1998 (First Issue)," dated as of April 1, 1999, now outstanding in the aggregate principal amount of \$8,150,000 (the "1998 IPTC Bonds") and (ii) "General Obligation Bonds of 2002," dated as of December 18, 2002, now outstanding in the aggregate principal amount of \$3,875,000 (the "2002 IPTC Bonds"); and

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City (the "Commission"), being the governing body of the Redevelopment District of the City (the "Redevelopment District"), has previously issued the "City of Indianapolis, Indiana, Redevelopment District Bonds of 1995, Series A," dated as of December 1, 1995,

now outstanding in the aggregate principal amount of \$1,980,000 (the “1995 Redevelopment District Bonds”); and

WHEREAS, the Board of Public Works of the City (the “BPW”), being the governing body of the Flood Control District of the City (the “Flood Control District”) and the Sanitary District of the City (the “Sanitary District”), has previously issued the (i) “City of Indianapolis, Indiana, Flood Control District Bonds of 1995, Series A,” dated as of December 1, 1995, now outstanding in the aggregate principal amount of \$1,345,000 (the “1995 Flood Control District Bonds”) and (ii) “City of Indianapolis, Indiana, Sanitary District Bonds of 1995, Series A,” dated as of December 1, 1995, now outstanding in the aggregate principal amount of \$3,835,000 (the “1995 Sanitary District Bonds”); and

WHEREAS, the IPTC Board, the Commission and the BPW now desire to issue bonds of the IPTC, the Redevelopment District, the Flood Control District and the Sanitary District, respectively, to refund the 1998 IPTC Bonds, the 2002 IPTC Bonds maturing from January 10, 2013 to January 10, 2017, the 1995 Redevelopment District Bonds, the 1995 Flood Control District Bonds and the 1995 Sanitary District Bonds, to realize, in each case, a substantial savings in accordance with Indiana Code 5-1-5, as amended; and

WHEREAS, on April 23, 2009, the IPTC Board adopted a bond ordinance (the “IPTC Ordinance”) authorizing the issuance of general obligation refunding bonds of the IPTC to be designated as “General Obligation Refunding Bonds, Series 2009”, in the total principal amount not to exceed \$12,000,000 (the “IPTC Refunding Bonds”), for the purpose of providing funds for the payment of the costs of (i) currently refunding the 1998 IPTC Bonds, (ii) advance refunding the 2002 IPTC Bonds maturing from January 10, 2013 to January 10, 2017 and (iii) issuing the IPTC Refunding Bonds; and

WHEREAS, on May 6, 2009, the Commission adopted a bond resolution (the “Commission Resolution”) authorizing the issuance of special taxing district refunding bonds of the Redevelopment District to be designated as “City of Indianapolis, Indiana, Redevelopment District Refunding Bonds, Series 2009 A”, in the total principal amount not to exceed \$2,400,000 (the “Redevelopment District Refunding Bonds”), for the purpose of providing funds for the payment of the costs of (i) currently refunding the 1995 Redevelopment District Bonds and (ii) issuing the Redevelopment District Refunding Bonds; and

WHEREAS, on May 13, 2009, the Board adopted two bond resolutions (the “BPW Resolutions”) authorizing the issuance, respectively, of special taxing district refunding bonds of the Flood Control District and the Sanitary District to be designated as (i) “City of Indianapolis, Indiana, Flood Control District Refunding Bonds, Series 2009 A”, in the total principal amount not to exceed \$1,700,000 (the “Flood Control District Refunding Bonds”) and (ii) “City of Indianapolis, Indiana, Sanitary District Refunding Bonds, Series 2009 A”, in the total principal amount not to exceed \$4,200,000 (the “Sanitary District Refunding Bonds”), for the purpose of providing funds for the payment of the costs of (i) currently refunding the 1995 Flood Control District Bonds and 1995 Sanitary District Bonds, respectively, and (ii) issuing the Flood Control District Refunding Bonds and Sanitary District Refunding Bonds; and

WHEREAS, Indiana Code 36-3-6-9 requires the City-County Council of Indianapolis and of Marion County (the “City-County Council”) to review and approve the issuance of bonds by the IPTC; and

WHEREAS, Indiana Code 36-3-5-8 requires the City-County Council to approve the issuance of bonds by any special taxing district of the City and the Redevelopment District, Flood Control District and Sanitary District are each a special taxing district of the City pursuant to statute; and

WHEREAS, Indiana Code 5-1.4 provides that a “qualified entity,” which term includes the IPTC, the Redevelopment District, the Flood Control District and the Sanitary District (collectively, the “Qualified Entities”), may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank (the “Bond Bank”); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the IPTC Refunding Bonds, the Redevelopment District Refunding Bonds, the Flood Control District Refunding Bonds and the Sanitary District Refunding Bonds (collectively, the “Refunding Bonds”) in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the Qualified Entities have requested the review and approval of the City-County Council for the issuance of the Refunding Bonds, and the City-County Council now finds that the issuance of the Refunding Bonds should be approved; now, therefore:

June 8, 2009

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 IPTC Ordinance, (ii) the issuance of the IPTC Refunding Bonds in an aggregate principal amount not to exceed \$12,000,000 and (iii) the use of the proceeds of the IPTC Refunding Bonds for the current refunding of the 1998 IPTC Bonds, the advance refunding of the 2002 IPTC Bonds maturing from January 10, 2013 to January 10, 2017, and costs of issuance of the IPTC Refunding Bonds.

SECTION 2. The City-County Council does hereby approve (i) the Commission Resolution, (ii) the issuance of the Redevelopment District Refunding Bonds in an aggregate principal amount not to exceed \$2,400,000 and (iii) the use of the proceeds of the Redevelopment District Refunding Bonds for the current refunding of the 1995 Redevelopment District Bonds and costs of issuance of the Redevelopment District Refunding Bonds.

SECTION 3. The City-County Council does hereby approve (i) the BPW Resolutions, (ii) the issuance of the Flood Control District Refunding Bonds and Sanitary District Refunding Bonds in the aggregate principal amounts not to exceed \$1,700,000 and \$4,200,000, respectively, and (iii) the use of the proceeds of the Flood Control District Refunding Bonds and Sanitary District Refunding Bonds for the current refunding of the 1995 Flood Control District Bonds and 1995 Sanitary District Bonds, respectively, and costs of issuance of said refunding bonds.

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. 192, 2009. Councillor Day reported that the Parks and Recreation Committee heard Proposal No. 192, 2009 on May 21, 2009. The proposal, sponsored by Councillors Day, McQuillen and Brown, approves a transfer of \$215,430 in the 2009 Budget of the Department of Parks and Recreation (Parks Fund) to purchase pool chemicals. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Day moved, seconded by Councillor McHenry, for adoption. Proposal No. 192, 2009 was adopted on the following roll call vote; viz:

27 YEAS: *Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*

0 NAYS:

2 NOT VOTING: *Bateman, Coleman*

Proposal No. 192, 2009 was retitled FISCAL ORDINANCE NO. 22, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Two Hundred Fifteen Thousand Four Hundred Thirty Dollars (\$215,430) in the Parks Fund for purposes of the Department of Parks and Recreation and reducing other accounts, where applicable.

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 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to fund the purchase of pool chemicals, financed by a transfer between characters in the Parks Fund.

SECTION 2. The sum of Two Hundred Fifteen Thousand Four Hundred Thirty Dollars (\$215,430) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARKS FUND</u>
1. Personal Services	0
2. Supplies	215,430
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Chargebacks	0
TOTAL INCREASE	215,430

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARKS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	215,430
4. Capital Outlay	0
5. Internal Chargebacks	0
TOTAL DECREASE	215,430

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

Councillor Hunter reported that the Public Works Committee heard Proposal Nos. 197-201, 2009 on May 28, 2009. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 197, 2009. The proposal, sponsored by Councillor Hunter, authorizes a multi-way stop at the intersection of Bolton Avenue and Lowell Avenue (District 21). PROPOSAL NO. 198, 2009. The proposal, sponsored by Councillor Plowman, authorizes intersection controls at Lakeland Trails Boulevard and Ridge Harvest Lane and Lakeland Trails Boulevard and Silver Lake Place (District 25). PROPOSAL NO. 199, 2009. The proposal, sponsored by Councillor Plowman, authorizes intersection controls in the Greythorne subdivision, Sections 2 and 3 (District 25). PROPOSAL NO. 200, 2009. The proposal, sponsored by Councillor Hunter, authorizes intersection controls in the Mayfair Village subdivision, Section 1 (District 21). PROPOSAL NO. 201, 2009. The proposal, sponsored by Councillors Minton McNeill and D. Mahern, authorizes a change in parking meters on the south side of Washington Street by the new JW Marriott Hotel being constructed on the southwest corner of Washington and West Streets (Districts 15 and 19). By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hunter moved, seconded by Councillor Plowman, for adoption. Proposal Nos. 197-201, 2009 were adopted on the following roll call vote; viz:

27 YEAS: *Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
0 NAYS:
2 NOT VOTING: *Bateman, Coleman*

Proposal No. 197, 2009 was retitled GENERAL ORDINANCE NO. 57, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2009

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

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

June 8, 2009

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Bolton Ave Lowell Ave	None	All-Way Stop

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

Proposal No. 198, 2009 was retitled GENERAL ORDINANCE NO. 58, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2009

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Lakeland Trails Blvd Ridge Harvest Ln	Lakeland Trails Blvd	Stop
48	Lakeland Trails Blvd Silver Lake Pl	Lakeland Trails Blvd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Lakeland Trails Blvd Ridge Harvest Ln	None	All-Way Stop
48	Lakeland Trails Blvd Silver Lake Pl	None	All-Way Stop

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

Proposal No. 199, 2009 was retitled GENERAL ORDINANCE NO. 59, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2009

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34	Cole Wood Blvd Cole Wood Ct	Cole Wood Blvd	Stop
34	Cole Wood Blvd Fisher Rd	Fisher Rd	Stop
34	Cole Wood Blvd Greythorne Dr	Cole Wood Blvd	Stop
34	Greythorne Ct Greythorne Dr	Greythorne Dr	Stop
34	Grey Spring Ct Thorney Wood Dr	Thorney Wood Dr	Stop

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

Proposal No. 200, 2009 was retitled GENERAL ORDINANCE NO. 60, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 2009

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34	Chesterhill Ln Chesterhill Way E	Chesterhill Ln	Stop
34	Chesterhill Ln Chesterhill Way W	Chesterhill Ln	Stop
34	Chesterhill Ln Franklin Rd	Franklin Rd	Stop

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

Proposal No. 201, 2009 was retitled GENERAL ORDINANCE NO. 61, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 2009

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-202, Parking meter zones designated.

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

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

June 8, 2009

TWO HOURS

Washington Street, on the south side, from a point 1,092 feet west of
Capitol Avenue to a point 73 feet east of West Street

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-202, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Washington Street, on the south side, from a point 1,092 feet west of
Capitol Avenue to a point 142 feet east of West Street

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

PROPOSAL NO. 203, 2009. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 203, 2009 on May 26, 2009. The proposal, sponsored by Councillor Cockrum, amends Chapter 151 of the Revised Code to add a new council rule with respect to procedures for reviewing tax rates, levies and budgets of certain taxing units. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Lutz moved, seconded by Councillor Smith, for adoption. Proposal No. 203, 2009 was adopted on the following roll call vote; viz:

27 YEAS: Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Minton McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 NOT VOTING: Bateman, Coleman

Proposal No. 203, 2009 was retitled GENERAL ORDINANCE NO. 62, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 2009

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 151 of the Revised Code of the Consolidated City and County to add a new council rule with respect to procedures for reviewing tax rates, levies and budgets of certain taxing units.

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

SECTION 1. Chapter 151 of the Revised Code of the Consolidated City and County be, and is hereby, amended by adding a new Sec. 151-68, to read as follows:

SEC. 151-68. Review of Tax Rates, Levies and Budgets of Civil Units.

(a) This section shall apply to review of tax rates, levies and budgets submitted to the city-county council pursuant to IC 36-1.1-17-3.5 or IC 36-1.1-17-20.

(b) With respect to a civil taxing unit that is required to file information with the city-county council under IC 36-1.1-17-3.5:

(1) The proper officers of such unit shall file the information required by that section at least fifteen (15) days before the date of the meeting at which the city-county council is scheduled to adopt the annual budgets for the city and county.

(2) Information filed under this subsection shall be referred to the Chief Financial Officer of the council for preparation of a proposed recommendation as required by the statute.

- (3) Such information for each civil taxing unit and the proposed recommendation shall be referred to an appropriate committee by the president of the council.
 - (4) The general counsel shall prepare an appropriate proposal for a special resolution adopting the proposed recommendation.
 - (5) The proposal as approved by the committee shall be placed on the council agenda under "special orders - priority business" at the next meeting of the council.
- (c) With respect to a governing body of a taxing unit that is required to submit its proposed budget and property tax levy to the city-county council for adoption by the city-county council under IC 6-1.1-17-20:
- (1) The governing body shall submit its proposed budget and tax levy to the city-county council at least fourteen (14) days prior to the date the city-county council schedules the public hearing on the annual budgets and tax levies for the city and county.
 - (2) The general counsel shall prepare an appropriate proposal for a fiscal ordinance adopting a final budget and tax levy for each taxing unit for which a proposed budget and property tax levy is submitted under IC 6-1.1-17-20 for introduction at the council meeting at which the public hearing is scheduled on the annual budgets for the city and county.

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

NEW BUSINESS

Councillor Cockrum stated that the new ethics disclosure form has been provided to all Council members, and they need to be sure to fill them out and submit them by the end of the money. He said that there will be a training session on Wednesday, June 17, 2009 at 6:00 p.m. for those who may need help or have questions when filling out the form.

Councillor Pfisterer congratulated Councillor Cardwell for being appointed as an honorary ambassador to El Salvador.

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 Sanders stated that she had been asked to offer the following motion for adjournment by:

- (1) Councillor Mansfield in memory of Senior Airman Ashton Goodman; and
- (2) Councillor Moriarty Adams in memory of Mayola Gore McCauley, Kathleen M. Tilford, and Ruth Ann Robinett; and
- (3) Councillor Cain in memory of Wesling; and
- (4) Councillor McHenry and Cardwell in memory of Viola Potter; and
- (5) Councillor Brown in memory of Margaret Terrill Brown; and
- (6) Councillor McQuillen in memory of Stanley C. Boyer; and
- (7) Councillor Pfisterer, Lutz, McHenry and Lewis in memory of Alan Jones; and
- (8) Councillor Gray in memory of Cecil Douglas Ross and Steve L. Williamson.

Councillor Sanders moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Senior Airman Ashton

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Goodman, Mayola Gore McCauley, Kathleen M. Tilford, Ruth Ann Robinett, Wesling, Viola Potter, Margaret Terrill Brown, Stanley C. Boyer, Alan Jones, Cecil Douglas Ross and Steve L. Williamson. She respectfully asked the support of fellow Councillors. She 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 9:17 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of June, 2009.

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)