

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 17, 2008**

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 7:02 p.m. on Monday, November 17, 2008, with Councillor Cockrum presiding.

Councillor Oliver introduced Pastor Carl Liggins, Mt. Olive Missionary Baptist Church, who led the opening prayer. Councillor Oliver then invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

27 PRESENT: Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
2 ABSENT: Cardwell, Pryor

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

INTRODUCTION OF GUESTS AND VISITORS

President Cockrum recognized former Councillor Steve Talley. Councillor Speedy introduced his Cousin Trent Perkins. Councillor Coleman stated that he was absent at the last meeting due to an injury and surgery for his daughter, and he thanked fellow Councillors for their support and thoughts and wishes, and added that his daughter is doing well. Councillor Oliver recognized the Mt. Olive Missionary Baptist Church family.

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 17, 2008, 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

November 3, 2008

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* on Wednesday, November 5, 2008 and in the *Indianapolis Star* on Thursday, November 6, 2008, a copy of a Notice of Public Hearing on Proposal Nos. 485, 490, 491 and 497, 2008, said hearing to be held on Monday, November 17, 2008, at 7:00 p.m. in the City-County Building.

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

November 13, 2008

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 Monday, November 17, 2008, a copy of a Legal Notice of General Ordinance Nos. 85, 86 and 92, 2008.

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

November 7, 2008

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. 64, 2008 – approves an appropriation of \$13,445 in the 2008 Budget of the Department of Public Safety (Federal Grants Fund) to pay salaries and benefits for two civilian position that will serve to monitor the security cameras installed at the Emergency Operations Center

FISCAL ORDINANCE NO. 65, 2008 - approves an appropriation of \$1,860,656 in the 2008 Budget of the Department of Public Safety, Fire Division (Federal Grants Fund) to reimburse expenses incurred by Indiana Task Force One during 2008 for assistance provided during the Indiana tornados and floods, tropical storms Dolly and Eduard, and hurricanes Gustav and Ike, financed by a grant from the Department of Homeland Security

November 17, 2008

FISCAL ORDINANCE NO. 66, 2008 - approves an appropriation of \$90,700 in the 2008 Budget of the Marion County Justice Agency (State Law Enforcement Fund) to purchase automated external defibrillators that will be placed in various locations within and outside of the City-County Building

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 2008 – transfers \$180,000 in the 2008 Budget of the Indianapolis Metropolitan Police Department (IMPD General Fund) to purchase supplies and materials needed for the balance of 2008, such as helicopter fuel, recruit and civilian uniforms, ammunition and supplies for recruit classes

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 2008 - appropriates and transfers \$805,070 in the 2008 Budget of the Indianapolis Metropolitan Police Department (Federal Grants Fund) for programs to train police officers on commercial vehicle, criminal and terrorist interdiction; for safety vests for sworn and civilians officers; for law enforcement equipment and technology enhancements; for investigations of scrap metal thefts; for specialized equipment and informant funds to investigate fraud in cooperation with the Indianapolis Housing Agency; and for various traffic safety programs to enforce traffic safety rules governing dangerous and impaired driving, seat belt laws, and to investigate serious crashes involving alcohol

GENERAL ORDINANCE NO. 85, 2008 – amends the Code to move hearings on inoperable vehicle violations from Environmental Court to an Alternative Law Judge

GENERAL ORDINANCE NO. 86, 2008 – amends the Code to clarify the enforcement procedures and penalties with respect to wild and dangerous animals, animals running at large, and the requirements of permanent identification and antirabies vaccinations for dogs and cats

GENERAL ORDINANCE NO. 87, 2008 – authorizes changes in parking restrictions at various locations in the downtown area for security reasons

GENERAL ORDINANCE NO. 88, 2008 – authorizes speed limit changes within the Salem Creek subdivision (District 13)

GENERAL ORDINANCE NO. 89, 2008 – authorizes intersection controls in The Groves of Camby Village, sections 1 and 2 (District 22)

GENERAL ORDINANCE NO. 90, 2008 - authorizes intersection controls in the Richmond Hill subdivision, sections 1 and 2 (District 24)

GENERAL ORDINANCE NO. 91, 2008 – authorizes intersection controls in the Feather Trace subdivision (District 25)

GENERAL ORDINANCE NO. 92, 2008 – amends the Code to increase penalties that can be imposed for Code violations from those dollar amounts currently provided to the maximum amounts permitted by statute

SPECIAL RESOLUTION NO. 41, 2008 – recognizes the El Puente Project

SPECIAL RESOLUTION NO. 42, 2008 – recognizes and honors Dr. Rajiv Sood and the Richard M. Fairbanks Burn Center team at Wishard Hospital

SPECIAL RESOLUTION NO. 43, 2008 – recognizes Indianapolis Fire Department Stations 7 and 14

SPECIAL RESOLUTION NO. 44, 2008 – recognizes Indianapolis Fire Captain Gary Henry

SPECIAL RESOLUTION NO. 45, 2008 – urges a parking meter blackout to encourage veterans and citizens to observe the November 11, 2008 Veterans Day activities

SPECIAL RESOLUTION NO. 46, 2008 - authorizes an excessive levy appeal for the Indianapolis Public Transportation Corporation

SPECIAL RESOLUTION NO. 47, 2008 – authorizes an excessive levy appeal for the Indianapolis-Marion County Public Library

Respectfully,
s/Gregory A. Ballard, Mayor

President Cockrum stated that he has received a letter of resignation from Councillor Cherrish Pryor due to her election to the House of Representatives. He congratulated her and all others who were elected to serve in the recent elections and wished them much success.

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 October 27, 2008. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 565, 2008. The proposal, sponsored by Councillor Scales, recognizes the Indy Hurling Team as the 2008 U.S. National Irish Hurling Champions. Councillor Scales read the proposal and presented representatives with copies of the document and Council pins. Coach Ciaran Connery of the Indy Hurling Team thanked the Council for the recognition and recognized the team's sponsors and presented Councillor Scales with a hurling stick. Councillor Scales moved, seconded by Councillor Vaughn, for adoption. Proposal No. 565, 2008 was adopted by a unanimous voice vote.

Proposal No. 565, 2008 was retitled SPECIAL RESOLUTION NO. 48, 2008, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 2008

A SPECIAL RESOLUTION recognizing the Indy Hurling Team as the 2008 U.S. National Irish Hurling Champions.

WHEREAS, the Indy Hurling Team won the U.S. Championship on August 31st 2008 in Boston, MA; and

WHEREAS, twelve U.S. teams participated in the National tournament, with participation ranging in teams from Seattle, WA to Concord, NH; and

WHEREAS, Hurling is an ancient Irish sport, similar to Lacrosse, in which a wide 35-inch long stick, called a hurl, is used to balance a small ball at its widest part while running and to strike the ball into a goal; and

WHEREAS, the Indy Hurling Team was organized in 2005, after an Indianapolis native discovered the sport during a trip to Ireland; and

WHEREAS, the team is comprised of Indianapolis men from post-college age through 40 years, who have a passion for the sport and have reached a performance level worthy of the U.S. title; and

WHEREAS, some of the members of the team are Irish natives, now working and living in Indianapolis, which adds to a true International appeal for the Indianapolis team; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indy Hurling team: Peter Baird, Neil Mulrooney, Peter Mackey, Dave Maish, Rudy Nehrling, Kyle Griffith, Steven Quigley, David Littlejohn, Ian Heraty, Mike Monaghan, Phil Barszczowski, Brian Church, Louis Landman, Brian Mathis, Nate Risteen, Colin Conlin, Eric Raderstorf, Matt Glasheen, Richard Connolly, and Jonathon Tobin, as well as coach, Ciaran Connery.

November 17, 2008

SECTION 2. The Council heartily congratulates the Indy Hurling Team on achieving the great accomplishment of winning the 2008 U.S. National Irish Hurling Championship.

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

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

PROPOSAL NO. 566, 2008. The proposal, sponsored by Councillor Oliver, recognizes the Junior Brotherhood and Sister 2 Sister Ministries of Mt. Olive Church. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. Deacon Jones, Sister Ford, and Reverend Hicks thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Bateman, for adoption. Proposal No. 566, 2008 was adopted by a unanimous voice vote.

Proposal No. 566, 2008 was retitled SPECIAL RESOLUTION NO. 49, 2008, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 2008

A SPECIAL RESOLUTION recognizing the Junior Brotherhood and Sister 2 Sister Ministries of Mount Olive Church.

WHEREAS, the Senior Brotherhood Ministry encourages young men of the Junior Brotherhood Ministry to be the best they can be in school as well as in all areas of their lives. The ministry offers personal tutoring and visitation to schools and homes to help the young men perform their best to contribute to the quality of life for themselves and those around them; and

WHEREAS, the Junior Brotherhood teaches young men compassion and concern for the well-being of others by showing them the responsibilities of growing into young manhood; and

WHEREAS, in addition, the Junior Brotherhood volunteers to help serve meals once a month to the homeless citizens of Indianapolis; and

WHEREAS, the Sister 2 Sister Ministry creates a welcoming environment where young ladies between the ages of 8 and 18 years are free to discuss topics/issues that are relevant to their everyday lives in a safe listening space and foundation of trust and respect; and

WHEREAS, Sister 2 Sister involves the young ladies in various activities such as community service projects and group outings, as well as workshops that encourage them to develop self-identity, self-esteem and leadership skills; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes the Junior Brotherhood and Sister 2 Sister Ministries for providing the necessary skills to young men and women to be an asset to their communities.

SECTION 2. The Council encourages the ministries to continue their work in shaping the children of our future.

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

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

PROPOSAL NO. 567, 2008. The proposal, sponsored by All Councillors, recognizes Officer Jason Fishburn and the many men and women who work in Public Safety. Councillors McQuillen and Plowman read the proposal and presented Officer Fishburn with a copy of the document and a Council pin. Officer Fishburn thanked the Council for the recognition.

Councillor McQuillen recognized family members of Officer Fishburn. Captain Dennis Fishburn, Jason Fishburn's father, thanked Wishard Hospital and the physical therapists, but said that prayers of this community played a major role in his son's recovery. He thanked the Council for their work on behalf of the citizens of Indianapolis. Councillor Hunter stated that Officer Fishburn is one of 1,600 heroes who put their lives on the line daily to provide safety for the citizens of this community. Indianapolis Metropolitan Police Department (IMPD) Chief Michael Spears thanked the Council for supporting the police department and said they are grateful for Officer Fishburn and his family for showing them a great example of courage and faith in the face of adversity. Councillor Plowman moved, seconded by Councillor McQuillen, for adoption. Proposal No. 567, 2008 was adopted by a unanimous voice vote.

Proposal No. 567, 2008 was retitled SPECIAL RESOLUTION NO. 50, 2008, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 2008

A SPECIAL RESOLUTION recognizing Officer Jason Fishburn and the many men and women who work in Public Safety.

WHEREAS, Officer Fishburn is a Patrolman with the Indianapolis Metropolitan Police Department (IMPD) who comes from a family with a long tradition of public service. His wife works as a DNA Expert with the Marion County Crime Lab, his father serves as a Sergeant with IMPD, his brother works with the Columbus, Ohio Police Department, and he has aunts and uncles who work on Indianapolis' police force as well; and

WHEREAS, Officer Fishburn was shot and critically injured on July 10, 2008, while in pursuit of a homicide suspect. The shooting initially necessitated that Officer Fishburn be placed in a medically induced coma and left him temporarily partially paralyzed; and

WHEREAS, Officer Fishburn has been on the force for over five years and actually received his five-year pin while still in the hospital recovering from the shooting; and

WHEREAS, Officer Fishburn, as well as all other Public Safety Officers, risk their lives everyday for the safety of the citizens of our community; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes Officer Jason Fishburn for his dedication to the force and for his strength and perseverance in the struggle to survive.

SECTION 2. The Council specifically acknowledges the entire Fishburn family for their service to Public Safety and our community..

SECTION 3. The Council acknowledges all of the men and women of the City of Indianapolis who risk their lives every day in the pursuit of public safety.

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

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

PROPOSAL NO. 568, 2008. The proposal, sponsored by Councillor Cockrum, approves a schedule of regular council meetings for the year 2009. President Cockrum stated that the calendar of council and committee meetings was passed out at the last meeting for review. He said that no changes were requested in the council meeting dates and a few changes were made to committee meeting dates, and members should have received a revised calendar. Councillor Vaughn moved, seconded by Councillor Lutz, for adoption. Proposal No. 568, 2008 was adopted by a unanimous voice vote.

Proposal No. 568, 2008 was retitled COUNCIL RESOLUTION NO. 110, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 110, 2008

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 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 hereby approves the following schedule of regular meetings for the year 2009:

- | | |
|-------------------------------|---------------------------------|
| (1) Monday, January 12, 2009 | (11) Monday, July 20, 2009 |
| (2) Monday, January 26, 2009 | (12) Monday, August 10, 2009 |
| (3) Monday, February 09, 2009 | (13) Monday, August 31, 2009 |
| (4) Monday, March 02, 2009 | (14) Monday, September 21, 2009 |
| (5) Monday, March 23, 2009 | (15) Monday, October 05, 2009 |
| (6) Monday, April 13, 2009 | (16) Monday, October 26, 2009 |
| (7) Monday, May 04, 2009 | (17) Monday, November 09, 2009 |
| (8) Monday, May 18, 2009 | (18) Monday, November 30, 2009 |
| (9) Monday, June 8, 2009 | (19) Monday, December 14, 2009 |
| (10) Monday, June 29, 2009 | |

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

PROPOSAL NO. 470, 2008. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 470, 2008 on November 11, 2008. The proposal, sponsored by Councillors Cain and Pfisterer, amends City-County Council Resolution No. 80, 2007, regarding the membership of the Council's Investigative Committee. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Lutz moved, seconded by Councillor Cain, to strike. Proposal No. 470, 2008 was stricken by a unanimous voice vote.

PROPOSAL NO. 449, 2008. Councillor McQuillen reported that the Municipal Corporations Committee heard Proposal No. 449, 2008 on November 6, 2008. The proposal, sponsored by Councillor McQuillen, appoints Elizabeth A. Frazier to the Speedway Library Board. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McQuillen moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 449, 2008 was adopted on the following roll call vote; viz:

- 23 YEAS: *Bateman, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Nytes, Pfisterer, Sanders, Scales, Smith, Speedy, Vaughn*
- 0 NAYS:
- 4 NOT VOTING: *Brown, Moriarty Adams, Oliver, Plowman*
- 2 ABSENT: *Cardwell, Pryor*

Proposal No. 449, 2008 was retitled COUNCIL RESOLUTION NO. 111, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 111, 2008

A COUNCIL RESOLUTION appointing Elizabeth A. Frazier to the Speedway Library Board

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

SECTION 1. As a member of the Speedway Library Board, the Council appoints:

Elizabeth A. Frazier

SECTION 2. The appointment made by this resolution is for a term ending October 31, 2012. 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. 461, 2008. Councillor Hunter reported that the Public Works Committee heard Proposal No. 461, 2008 on November 13, 2008. The proposal, sponsored by Councillor Hunter, appoints Kelly L. Russell to the Air Pollution Control Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal No. 461, 2008 was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Nytes, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
3 NOT VOTING: Brown, Moriarty Adams, Oliver
2 ABSENT: Cardwell, Pryor

Proposal No. 461, 2008 was retitled COUNCIL RESOLUTION NO. 112, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 112, 2008

A COUNCIL RESOLUTION appointing Kelly L. Russell to the Air Pollution Control Board.

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

SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:

Kelly L. Russell

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 517, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Thomas Grinslade to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 518, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Richard Petrecca to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 519, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sheriff Frank Anderson to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 520, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Michael Rodman to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 521, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Beth White to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 522, 2008. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$136,000 in the 2008 Budget of the Marion County Election Board (County General Fund) to fund increased costs for additional human resources to process absentee ballots during the November 4, 2008 General election, financed by transfers from the Marion County Clerk and Marion Superior Court"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 523, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$556,000 in the 2008 Budget of the Office of Finance and Management to pay for financial audits of Marion County, financed by transfers from Internal Audit, Office of Corporation Counsel, Department of Administration and Equal Opportunity and the City-County Council"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 524, 2008. Introduced by Councillors Mansfield, Vaughn, Nytes and Lutz. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to reduce the salaries for elected township assessors whose responsibilities were transferred to the county assessor as a result of HEA 1001, 2008"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 525, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$100,000 in the 2008 Budget of the Marion County Guardian Home (County General Fund) to provide for increased utility and food service expenses for the remainder of the year"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 526, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$4,250,000 in the 2008 Budget of the Division of Family and Children (Family and Children Services Fund) to fund contractual services for child welfare services and programs for the remainder of 2008"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 527, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Susan J. Powers to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 528, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Wayne Schmidt to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 529, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Janet Amos to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 530, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Patricia Chastain to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 531, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Randall Faulkner to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 532, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Bradley Battin to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 533, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Richard D. VanParis, II to the Indianapolis City Market Corporation Board of Directors"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 534, 2008. Introduced by Councillors Evans and Cardwell. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which recommends the granting of an "Economic Development for a Growing Economy" Credit to TriMedx, LLC"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 535, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Timothy J. Maguire to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 536, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 537, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 538, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Timothy Ping to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 539, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Randolph Snyder to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 540, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Special Districts Zoning Ordinance adding two zoning classifications (SZ-1 and SZ-2) and establishing permitted and prohibited uses and standards for development in such districts"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 541, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Diana M. Hall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 542, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joseph E. Mayes to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 543, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$355,000 in the 2008 Budget of the Department of Parks and Recreation (Parks General Fund) to fund increased utility costs, tax anticipation warrant interest and fleet services expenses"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 544, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jason Dudich to the Early Intervention Planning Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 545, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Marilyn Pfisterer to the Early Intervention Planning Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 546, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kenneth Giffin to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 547, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Michelle Baldwin to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 548, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Amanda Ricketts to the Law

Enforcement Advisory Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 549, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Edrose Potts, Jr. to the Law Enforcement Advisory Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 550, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kevin Quinn to the Law Enforcement Advisory Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 551, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Aaron Freeman to the Law Enforcement Advisory Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 552, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer and an appropriation of \$1,457,709 in the 2008 Budget of the Indianapolis Metropolitan Police Department (IMPD General, State Law Enforcement and City Cumulative Capital Improvement Funds) to pay for vehicle fuels and maintenance, emergency lights, computer mounting brackets, and other required accessories for new police cars and to move security cameras to the Monon Trail"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 553, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$10,000 in the 2008 Budget of the Department of Public Safety, Emergency Management Division (City Cumulative Capital Fund) to pay for emergency lights and other supplies needed for three emergency response vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 554, 2008. Introduced by Councillors Moriarty Adams and Brown. The Clerk read the proposal entitled: "A Proposal for a F.S.S.D.F.O. which approves a transfer of \$3,729,452 in the 2008 Budget of the Indianapolis Fire Department (Fire General, Consolidated County and Federal Grant Funds) to pay for overtime costs for firefighters and emergency medical personnel, fuel and maintenance for vehicles, and contractual and overtime expenses incurred when Task Force One was deployed to Hurricane Ike"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 555, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$38,728 in the 2008 Budget of the Marion County Justice Agency (Law Enforcement Equitable Share Fund) to fund storage expenses of seized evidence, courtroom equipment, laptops and computers for investigation and prosecution by the Prosecutor's Forfeiture Unit"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 556, 2008. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$124,803 in the 2008 Budget of the Marion Superior Court (Federal Grants,

State Grants and Drug Testing Laboratory Funds) to fund a portion of a community court coordinator salary, the purchase of drug lab supplies, contractual mediators to assist in CHINS cases at the Juvenile Court, and a pilot program designed to track performance measures for the Superior Court, partially financed by grants from the Indiana Judicial Center and the Indiana Supreme Court Division of State Court Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 557, 2008. Introduced by Councillor Oliver. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$486,666 in the 2008 Budget of the Marion County Coroner (County General Fund) to fund utility expenses, increased costs in pathology, toxicology, and histology services, and outstanding legal obligations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 558, 2008. Introduced by Councillors Vaughn and Dane Mahern. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$223,683 in the 2008 Budget of the Marion County Sheriff's Department (County General and County Misdemeanor Funds) to pay for inmate meals and other contractual costs relating to jail facilities "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 559, 2008. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves an amendment to the Marion County Sheriff's Department Personnel Retirement Plan to allow retirees to qualify for an income tax deduction for medical insurance premiums paid for County retiree insurance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 560, 2008. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dennis Rosebrough to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 561, 2008. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kenneth W. Hughes to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 562, 2008. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Robert Parrin to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 563, 2008. Introduced by Councillors Hunter and Speedy. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$869,460 in the 2008 Budget of the Department of Public Works (Non-Lapsing Federal and State Grants, Federal and State Grants, and Consolidated County Funds) to place grant funding in the appropriate categories to properly account for expenses associated with the Clean Air, Retrofitting, and Hazardous Waste programs"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 564, 2008. Introduced by Councillor Lutz. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jennifer L. Ping to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 574, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$37,900 in the 2008 Budget of Voter Registration (County General Fund) to pay for increased human resources costs incurred as a result of the November 4, 2008 General Election"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 575, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$2,500 in the 2008 Budget of the Cooperative Extension Service (County General Fund) to pay for projected personal services for the remainder of 2008"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 576, 2008. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of bonds by the City of Beech Grove Redevelopment Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 577, 2008. Introduced by Councillors Vaughn, Lutz, Hunter and Brown. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which proposes an ordinance of the Marion County Income Tax Council to effect, pursuant to the authority granted by the Department of Local Government Finance, a reduction in the county option income tax rate that was imposed effective October 1, 2007, and to cast the votes of the City-County Council on such ordinance"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 569-573, 2008. Introduced by Councillor Plowman. Proposal Nos. 569-573, 2008 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 10, 2008. 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. 134-138, 2008, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 134, 2008.

2007-ZON-139

2201 DR. MARTIN LUTHER KING JR. STREET (*Approximate Address*), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

JASVIR SINGH, by David Kingen, requests Rezoning of 0.42 acre, from the C-1 (W-1) District, to the C-3C (W-1) classification to provide for corridor commercial uses.

REZONING ORDINANCE NO. 135, 2008.

2008-ZON-044

2701 DEVON AVENUE (*Approximate Address*), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 17

INDIANAPOLIS PUBLIC SCHOOLS BOARD OF SCHOOL COMMISSIONERS requests REZONING of 11.950 acres, from the D-4 District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 136, 2008.

2008-ZON-085

7830 MADISON AVENUE (*Approximate Address*), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

November 17, 2008

ANIL JAIN, by Jonathan Elrod, requests REZONING of 3.47 acres, from the D-A District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 137, 2008.

2008-ZON-086

1515 BROOKVILLE CROSSING WAY (*Approximate Address*), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21

OPPORTUNITY BUYS, INC., by Joseph D. Calderon, requests REZONING of 10.2 acres, from the C-S District, to the C-S classification to provide for the sale of scooters, defined as "motor bikes with a "step through" body design" and to Modify Commitment 1.aa. to provide for scooter sales (previous commitment prohibited motorcycle sales).

REZONING ORDINANCE NO. 138, 2008.

2008-ZON-087

143 WEST 40TH STREET (*Approximate Address*), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 8

WALK IN THE LIGHT CHRISTIAN CHURCH, by Reverend Clarence D. Bolden, Jr. requests REZONING of 0.22 acre, from the D-5 District, to the SU-1 classification to legally establish and provide for the expansion of a religious use.

PROPOSAL NO. 516, 2008. In Chairman Cardwell's absence, Councillor McQuillen reported that the Economic Development Committee heard Proposal No. 516, 2008 on November 5, 2008. The proposal, sponsored by Councillor Cardwell, is an inducement resolution for GMF - Stonekey, LLC in an amount not to exceed \$7,000,000 for the acquisition and renovation of the existing 170-unit multi-family housing residential rental project known as the Stonekey Apartments located at 1504 Renton Street (District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McQuillen moved, seconded by Councillor Day, for adoption. Proposal No. 516, 2008 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cockrum, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

1 NOT VOTING: Coleman

2 ABSENT: Cardwell, Pryor

Proposal No. 516, 2008 was retitled SPECIAL RESOLUTION NO. 51, 2008, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 2008

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is authorized by IC 36-7-11.9 and 12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, GMF - Stonekey, LLC, a to-be-formed Tennessee limited liability company (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer lend proceeds of an economic development financing to the Applicant for the acquisition, renovation and equipping of a multifamily housing facility consisting of an apartment complex known as Stonekey Apartments containing 170 apartment units, together with functionally related and subordinate facilities such as recreational facilities and parking areas, located at 1504 Renton Street, in Indianapolis, Indiana (the "Project") in City-County Council District 16 of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 2 new full-time equivalent jobs and 4 retained full-time equivalent jobs ongoing plus 5 full-time equivalent employees during the initial twelve months of renovation) to be achieved by the acquisition, renovation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it is tentatively found that the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on any similar facility already constructed or operating in Indianapolis, Indiana; now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Indianapolis, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

SECTION 2. It approves, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds in an amount not to exceed \$7,000,000 of the Issuer under the Act for the lending of the proceeds of the revenue bonds to the Applicant, for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation and equipping of the Project, the City-County Council of the Issuer hereby approves, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that (a) all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that the proposed inducement resolution expires on September 30, 2009, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of the inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds provided that at the time of the proposed issuance of such bonds the inducement resolution is still in effect; and (iii) it will use its best efforts to assist the Applicant in procuring the issuance of additional economic development revenue bonds, if such additional bonds become necessary for refunding or refinancing the outstanding principal amount of the economic development revenue bonds, for completion of the Project and for additions to the Project, including the costs of issuing additional bonds (provided that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of the authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date permitted by applicable federal tax and state laws, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, a portion of the interest paid during acquisition, renovation and equipping, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also, certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall constitute "official action" for purposes of compliance with federal and state laws requiring governmental action as authorization for future reimbursement from the proceeds of bonds.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 485, 2008. As Acting Chair, Councillor Day reported that the Administration and Finance Committee heard Proposal No. 485, 2008 on October 28, 2008. The proposal, sponsored by Councillors Pfisterer and Nytes, appropriates \$383,187 in the 2008 Budget of the Office of the Mayor (Federal Grants Fund) for a program to recruit leaders to implement education reform in the community in conjunction with the Indianapolis Center for Education Entrepreneurship, funded by a grant from the U. S. Department of Education. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Day moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 485, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
0 NOT VOTING:
2 ABSENT: Cardwell, Pryor

Proposal No. 485, 2008 was retitled FISCAL ORDINANCE NO. 69, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) by appropriating Three Hundred Eighty Three Thousand One Hundred Eighty-seven Dollars (\$383,187) in the Federal Grants Fund for purposes of the Office of the Mayor, and reducing certain other accounts for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Sections 1.01(a) of the City-County Annual Budget for 2008 be, and are hereby, amended by the increases and reductions hereinafter stated for a program to recruit leaders to implement education reform in the community, in conjunction with the Indianapolis Center for Education Entrepreneurship, funded by a grant from the U.S. Department of Education's Fund for the Improvement of Education.

SECTION 2. The sum of Three Hundred Eighty Three Thousand One Hundred Eighty-seven Dollars (\$383,187) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>OFFICE OF THE MAYOR</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	383,187
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	383,187

SECTION 4. The said additional 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>383,187</u>
TOTAL	383,187

SECTION 5. There is no match required for this grant.

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

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

PROPOSAL NO. 490, 2008. Councillor Day reported that the Parks and Recreation Committee heard Proposal No. 490, 2008 on October 30, 2008. The proposal, sponsored by Councillor Day, approves an appropriation of \$100,000 in the 2008 Budget of the Department of Parks and Recreation (Federal Grants Fund) to fund an increase in meals provided to children through the Summer Lunch Program, financed by reimbursements from the U.S. Department of Agriculture. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Day moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 490, 2008 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

1 NAY: Cain

0 NOT VOTING:

2 ABSENT: Cardwell, Pryor

Proposal No. 490, 2008 was retitled FISCAL ORDINANCE NO. 70, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating One Hundred Thousand Dollars (\$100,000) in the Federal Grants Fund for purposes of the Department of Parks & Recreation.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks & Recreation to fund an increase in meals provided to children through the Summer Lunch Program.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4 where applicable.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPT OF PARKS & RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	6,976
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	92,024
5. Internal Charges	0
TOTAL INCREASE	100,000

November 17, 2008

SECTION 4. The said increased appropriation is funded by new revenues, not previously appropriated, that will be deposited into the following fund:

<u>DEPT OF PARKS & RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
New revenues supporting the appropriation in Section 3	<u>100,000</u>
TOTAL	100,000

SECTION 5. 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. 491 and 492, 2008 on October 29, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 491, 2008. The proposal, sponsored by Councillors Cockrum and Malone, approves a transfer and appropriation of \$1,444,477 in the 2008 Budgets of the Departments of Public Works, Public Safety, Metropolitan Development and Parks and Recreation (Transportation General, IMPD General, Consolidated County and Parks General Funds) to offset expenses incurred due to the Federal Emergency Management Agency (FEMA) declared disasters that occurred between May 30 and June 7 of this year, funded by a federal grant from FEMA. PROPOSAL NO. 492, 2008. The proposal, sponsored by Councillors Vaughn, Moriarty Adams and Malone, approves a transfer and appropriation of \$35,000 in the 2008 Budget of the Department of Public Safety (Consolidated County Fund) to purchase needed supplies and materials for the city's animal shelter and to provide pre-adoption spay/neuter services for animals in the shelter, funded by a transfer and grant from PetSmart Charities, Inc. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Cockrum called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Vaughn moved, seconded by Councillor Day, for adoption. Proposal Nos. 491 and 492, 2008 were adopted on the following roll call vote; viz:

27 YEAS: *Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
0 NAYS:
0 NOT VOTING:
2 ABSENT: *Cardwell, Pryor*

Proposal No. 491, 2008 was retitled FISCAL ORDINANCE NO. 71, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating One Million Four Hundred Eighty One Thousand Nine Hundred Seventy-seven Dollars \$1,481,977 in the Federal Grants Fund and transfers between characters in the Transportation General Fund, Consolidated County Fund and Parks General Fund, for purposes of the Department of Public Works, Department of Public Safety, Department of Metropolitan Development and Department of Parks and Recreation, and reducing certain other accounts for those agencies.

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(i-1) of the City-County Annual Budget for 2008 and Section 1 of the City-County Police Special Service District Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Department of Public Safety, Department of Metropolitan Development and Department of Parks and Recreation to fund the

Journal of the City-County Council

offset of expenses incurred due to the FEMA declared disasters that occurred between May 30th and June 7th of this year. This FEMA appropriation will enable departments to shift expenses already incurred to the Federal Grant Fund as well as provide resources in the proper category.

SECTION 2. The sum of One Million Four Hundred Eighty One Thousand Nine Hundred Seventy-seven Dollars \$1,481,977 be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3a. The following additional appropriation for the Federal Grant Fund is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	193,179
2. Supplies	378
3. Other Services and Charges	355,387
4. Capital Outlay	0
5. Internal Charges	<u>244,014</u>
TOTAL INCREASE	792,959

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	50,461
2. Supplies	0
3. Other Services and Charges	8,419
4. Capital Outlay	0
5. Internal Charges	<u>100,795</u>
TOTAL INCREASE	159,675

<u>DEPARTMENT OF METROPLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	7,433
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>3,279</u>
TOTAL INCREASE	10,712

<u>DEPARTMENT OF PARKS & RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	45,767
2. Supplies	0
3. Other Services and Charges	409,749
4. Capital Outlay	0
5. Internal Charges	<u>63,115</u>
TOTAL INCREASE	518,631

SECTION 3b. The following additional appropriation through character transfer is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	548,566
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	548,566

<u>DEPARTMENT OF METROPLITAN DEVELOPMENT</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>7,433</u>
TOTAL INCREASE	7,433

November 17, 2008

<u>DEPARTMENT OF PARKS & RECREATION</u>	<u>PARKS GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>55,516</u>
TOTAL INCREASE	55,516

SECTION 4a. The said additional 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>1,481,977</u>
TOTAL	1,481,977

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	193,179
2. Supplies	0
3. Other Services and Charges	355,387
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL DECREASE	548,566

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	7,433
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL DECREASE	7,433

<u>DEPARTMENT OF PARKS & RECREATION</u>	<u>PARKS GENERAL FUND</u>
1. Personal Services	45,767
2. Supplies	0
3. Other Services and Charges	9,749
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL DECREASE	55,516

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

Proposal No. 492, 2008 was retitled FISCAL ORDINANCE NO. 72, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating Thirty Five Thousand Dollars (\$35,000) in the Consolidated County Fund for purposes of the Department of Public Safety, and reducing certain other accounts for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j-1) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety to purchase needed supplies and materials for the city's animal shelter, funded by a \$25,000 transfer between characters within the existing budget, and to provide pre-adoption spay/neuter services for animals in the shelter, funded by a \$10,000 grant from PetSmart Charities, Inc.

SECTION 2. The sum of Thirty Five Thousand Dollars (\$35,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	25,000
3. Other Services and Charges	10,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	35,000

SECTION 4. The said additional appropriation is funded by the reduction shown below:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	25,000
5. Internal Charges	<u>0</u>
TOTAL DECREASE	25,000

The said additional appropriation is also funded by a \$10,000 grant from PetSmart Charities, Inc that will be deposited into the Consolidated County fund.

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

PROPOSAL NO. 497, 2008. Councillor Hunter reported that the Public Works Committee heard Proposal No. 497, 2008 on November 13, 2008. The proposal, sponsored by Councillors Hunter, Moriarty Adams and Speedy, approves an appropriation of \$802,105 in the 2008 Budget of the Department of Public Works (Consolidated County Fund) to offset expenses incurred due to an expanded scope of service and increases in wrecker and other fees for vehicles towed by the Indianapolis Metropolitan Police Department (IMPD), funded by revenues generated through the program. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal No. 497, 2008 was adopted on the following roll call vote; viz:

27 YEAS: *Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
 0 NAYS:
 0 NOT VOTING:
 2 ABSENT: *Cardwell, Pryor*

Proposal No. 497, 2008 was retitled FISCAL ORDINANCE NO. 73, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating Eight Hundred Two Thousand One Hundred Five Dollars (\$802,105) in the Consolidated County Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(j) of the City-County Annual Budget for 2008 be, and is hereby, amended by

the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund the offset of expenses incurred because of an expanded scope of service and increases in wrecker and other fees for vehicles towed by the Indianapolis Metropolitan Police Department (IMPD). Before the merger, the abandoned vehicle program received vehicles from the Indianapolis Police Department (IPD) while the Marion County Sheriff's Department (MCSD) disposed of vehicles in their own manner. Since the merger, the abandoned vehicle program now receives the vehicles from the consolidated agency. As vehicles become part of the abandoned vehicle program, DPW incurs the full costs associated with towing, storage and disposal. As vehicles are disposed through an auction process, DPW recoups a portion of its expenses.

SECTION 2. The sum of Eight Hundred Two Thousand One Hundred Five Dollars (\$802,105) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	802,105
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	802,105

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Fund Balance	<u>802,105</u>
TOTAL REDUCTION	802,105

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The year end 2008 Consolidated County Fund balance is projected to be \$20,823,216 by the end of 2008.

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 436, 2008. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 436, 2008 on November 11, 2008. The proposal, sponsored by Councillors Sanders, Mansfield, Gray, Moriarty Adams, Evans, Pryor and Nytes, extends the deadline for the adoption of the annual budget ordinances for fiscal year 2009 until November 17, 2008. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Lutz moved, seconded by Councillor Sanders, to strike. Proposal No. 436, 2008 was stricken by a unanimous voice vote.

As Acting Chair, Councillor Day reported that the Administration and Finance Committee heard Proposal Nos. 486 and 487, 2008 on October 28, 2008. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 486, 2008. The proposal, sponsored by Councillor Pfisterer, approves a transfer of \$302,000 in the 2008 Budget of the Information Services Agency (Information Services Fund) to pay contractual expenses related to technology initiatives not initially included in the agency's budget. PROPOSAL NO. 487, 2008. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$5,000 in the 2008 Budget of the Franklin Township Assessor (County General Fund) to fund utilities and custodial services operating expenses. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that

they do pass. Councillor Day moved, seconded by Councillor Pfisterer, for adoption. Proposal Nos. 486 and 487, 2008 were adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 ABSENT: Cardwell, Pryor

Proposal No. 486, 2008 was retitled FISCAL ORDINANCE NO. 74, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) transferring and appropriating Three Hundred Two Thousand Dollars (\$302,000) in the Information Services Fund for purposes of the Information Services Agency, and reducing certain other accounts for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (o) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to pay contractual expenses related to technology initiatives not initially included in the agency's 2008 budget, funded by an internal transfer between characters.

SECTION 2. The sum of Three Hundred Two Thousand Dollars (\$302,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	302,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	302,000

SECTION 4. The said additional appropriation is funded by the reduction shown below:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES FUND</u>
1. Personal Services	302,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	302,000

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

Proposal No. 487, 2008 was retitled FISCAL ORDINANCE NO. 75, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriates and transfers Five Thousand Dollars (\$5,000) between characters in the County General Fund for purposes of the Franklin Township Assessor, and reducing certain other accounts for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (k) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Franklin Township Assessor to fund a transfer from Character 02 (Supplies) and Character 04 (Capital) to Character 03 (Other Services & Charges). This accounting change will allow the Franklin Township Assessor to fund projected utilities and custodial services expenses.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	5,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	5,000

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

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	3,000
3. Other Services and Charges	0
4. Capital Outlay	<u>2,000</u>
TOTAL DECREASE	5,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2008 year end County General fund balance is projected to be \$3,761,777 million by the end of 2008.

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

PROPOSAL NO. 488, 2008. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 488, 2008 on October 28, 2008. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$13,000 in the 2008 Budget of the Washington Township Assessor (County General Fund) to make payments for the third quarter facility rent from fiscal year 2006. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer stated that new fiscal information has come to light, and she moved, seconded by Councillor Day, to return Proposal No. 488, 2008 to Committee. Proposal No. 488, 2008 was returned to Committee by a unanimous voice vote.

PROPOSAL NO. 489, 2008. Councillor Plowman reported that the Metropolitan Development Committee heard Proposal No. 489, 2008 on November 10, 2008. The proposal, sponsored by Councillors Plowman and Brian Mahern, approves the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds. By a 7-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Plowman moved, seconded by Councillor Dane Mahern, for adoption.

Councillor Nytes asked for consent to abstain from voting on Proposal No. 489, 2008 to avoid the appearance of a conflict of interest. Consent was given.

Proposal No. 489, 2008 was adopted on the following roll call vote; viz:

26 YEAS: *Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*

0 NAYS:

1 NOT VOTING: *Nytes*

2 ABSENT: *Cardwell, Pryor*

Proposal No. 489, 2008 was retitled SPECIAL RESOLUTION NO. 52, 2008, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 2008

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

WHEREAS, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council"), passed City-County Fiscal Ordinance No. 54, 2008, the 2009 Annual Budget of the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 (b) of the Budget Ordinance, as approved by the Council, reads as follows:

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

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has presented the 2009 Consolidated Annual Action Plan, a document submitted to the United States Department of Housing and Urban Development ("HUD"), which sets forth the City's goals and intentions for using federal dollars in fiscal year 2009, to the Council; and

WHEREAS, the 2009 Consolidated Annual Action Plan identifies the amounts, locations, and programmatic operation of each project that will be funded by Community Development Grant Funds, which are summarized in the Summary of 2009 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference; and

WHEREAS, Council now finds that the amounts, locations, and programmatic operations of each project listed in the 2009 Consolidated Annual Action Plan, including insubstantial amendments thereto should be approved; now, therefore:

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

SECTION 1. That the amounts, locations, and programmatic operations of each of the projects included in the 2009 Consolidated Annual Action Plan, which are summarized in the Summary of 2009 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference, are approved.

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

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

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 493 and 495, 2008 on October 29, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 493, 2008. The proposal, sponsored by Councillor Vaughn, approves a transfer of \$144,768 in the 2008 Budget of the Marion County Community Corrections Agency (Home Detention User Fee Fund) to cover additional salaries and benefits not originally budgeted for the Duvall Residential Center. PROPOSAL NO. 495, 2008. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves a transfer of \$1,406,000 in the 2008 Budget of the Marion Superior Court (County General and Cumulative Capital Improvement Funds) to fund completion of a west side office for Probation and the co-location of Traffic Court and the Court Violations Bureau, completion of build out of court space in the City-County Building, several information technology projects, and early payment of several 2009 obligations. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Nytes asked if there is nothing in Proposal No. 493, 2008 that would change the purpose or use of the Duvall Residential Center. Councillor Vaughn said that the use of that center has been in discussion at the Community Corrections Agency Board meetings and they are resolved to adhere to the commitments made with regard to the purpose of that facility. Councillor Nytes said that it is good to hear those commitments affirmed.

Councillor Sanders asked with regard to CASA funding, if this pre-payment for 2009 funding comes out of the 2008 budget. Sue Patterson, Marion Superior Courts, Chief Financial Officer, stated that part of 2008 funding will be used, but it will mostly be part of the 5% underspending. Councillor Sanders asked what this funding amounts to. Ms. Patterson said that it is \$450,000.

Councillor Nytes stated that this seems to, in effect, raise next year's budget by funding projects through this year's budget.

Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 493 and 495, 2008 were adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn
1 NAY: Sanders
2 ABSENT: Cardwell, Pryor

Proposal No. 493, 2008 was retitled FISCAL ORDINANCE NO. 76, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) transferring and appropriating One Hundred Forty Four Thousand, Seven Hundred Sixty-eight Dollars (\$144,768) in the Home Detention User Fee fund for purposes of the Marion County Community Corrections Agency and reducing certain other accounts for that agency, 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 1.06 (c) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated to cover additional salaries and benefits not originally budgeted for the Duvall Residential Center, funded by transfers from other characters.

SECTION 2. The sum of One Hundred Forty Four Thousand, Seven Hundred Sixty-eight Dollars (\$144,768) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS AGENCY HOME DETENTION USER FEE FUND</u>	
1. Personal Services	144,768
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	144,768

SECTION 4. The following decrease in appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS AGENCY HOME DETENTION USER FEE FUND</u>	
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	122,268
4. Capital Outlay	<u>22,500</u>
TOTAL INCREASE	144,768

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

Proposal No. 495, 2008 was retitled FISCAL ORDINANCE NO. 77, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) by appropriating One Million Two Hundred Thousand Dollars (\$1,200,000) in the County General Fund and Two Hundred Six Thousand Dollars (\$206,000) in the Cumulative Capital Improvement 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 1.05(f) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to fund the following: the completion of a west side office for Probation and the co-location of Traffic Court and Court Violations Bureau; the completion of the build out of court space on the 5th floor of the City County Building; several IT projects including Video Court installations; and early payment of several 2009 obligations including the upgrade and maintenance of court recording equipment and the match for Court Appointed Special Advocate funds, all of which are financed by a transfer between characters in the County General and Cumulative Capital Improvement funds.

SECTION 2. The sum of One Million Four Hundred Six Thousand Dollars (\$1,406,000) 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>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	218,250
3. Other Services and Charges	923,750
4. Capital Outlay	<u>58,000</u>
TOTAL INCREASE	1,200,000

<u>MARION SUPERIOR COURT</u>	<u>CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>206,000</u>
TOTAL INCREASE	206,000

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

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	1,200,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	1,200,000

<u>MARION SUPERIOR COURT</u>	<u>CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	206,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	206,000

SECTION 5. There is no local match required for this ordinance.

SECTION 6. 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. 496 and 498, 2008 on November 13, 2008. He asked for consent to hear these proposals together. Consent was given.

PROPOSAL NO. 496, 2008. The proposal, sponsored by Councillors Hunter, Moriarty Adams and Speedy, approves a transfer of \$290,000 in the 2008 Budget of the Department of Public Works (Consolidated County Fund) to fund the necessary maintenance services needed to continue to repair and maintain aging City/County vehicles through the end of the year. PROPOSAL NO. 498, 2008. The proposal, sponsored by Councillors Hunter, Moriarty Adams and Speedy, approves a transfer of \$1,118,575 in the 2008 Budget of the Department of Public Works (Solid Waste Collection Fund) to fund chargeback payments for vehicle fuel and maintenance. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Oliver asked what vehicles are referred to in Proposal No. 496, 2008. Pat Carroll, Deputy Director, Operations Division, Department of Public Works, stated that this includes several different types of vehicles, such as snow plows, solid waste packers, side-loaders, fire apparatus, and some police cars. Councillor Oliver asked what types of repairs are involved. Mr. Carroll stated that this is mostly for maintenance needed on the solid waste packers and side-loaders, but more wrecker service has also been needed as the police cars age. He added that there are less than 150 of these vehicles right now. ?

Councillor Hunter moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 496 and 498, 2008 were adopted on the following roll call vote; viz:

27 YEAS: *Bateman, Brown, Cain, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
 0 NAYS:
 2 ABSENT: *Cardwell, Pryor*

Proposal No. 496, 2008 was retitled FISCAL ORDINANCE NO. 78, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) transfers and appropriates Two Hundred Ninety Thousand Dollars (\$290,000) in the Consolidated County Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency, 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 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund the necessary maintenance services needed to continue to repair and maintain the aging City/County vehicles through the end of the year.

SECTION 2. The sum of Two Hundred Ninety Thousand Dollars (\$290,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	290,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	290,000

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	200,000
3. Other Services and Charges	0
4. Capital Outlay	90,000
5. Internal Charges	<u>0</u>
TOTAL DECREASE	290,000

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

Proposal No. 498, 2008 was retitled FISCAL ORDINANCE NO. 798, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) transfers and appropriates One Million One Hundred Eighteen Five Hundred Seventy Five Dollars (\$1,118,575) in the Solid Waste Collection Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency, 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 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund chargeback payments for vehicle fuel and maintenance. The original 2008 budget is projected to be inadequate due to the significant fluctuation and increases in petroleum prices and the high costs of maintaining an aging fleet throughout the year.

SECTION 2. The sum of One Million One Hundred Eighteen Five Hundred Seventy Five Dollars (\$1,118,575) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	1,118,575
5. Internal Charges	0
TOTAL INCREASE	1,118,575

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

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>1,118,575</u>
TOTAL DECREASE	1,118,575

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

NEW BUSINESS

President Cockrum wished all Councillors and citizens a Happy Thanksgiving.

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 Lutz, McHenry and Pfisterer in memory of Paul Spurlin; and
- (2) Councillor Nytes and Hunter in memory of Paul H. Buchanan, Jr.; and
- (3) Councillor Cockrum in memory of Devon K. Stone; and
- (4) Councillor Cain in memory of Richard E. "Dick" Bussell; and
- (5) Councillor Nytes, Hunter, Lutz, Mansfield and Sanders in memory of Judge Charles Deiter.

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 Paul Spurlin, Paul H. Buchanan, Jr., Devon K. Stone, Richard E. "Dick" Bussell, and Judge Charles Deiter. 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 8:22 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 17th day of November, 2008.

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)