

**\*\* NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

**AGENDA**  
**CITY COUNTY COUNCIL**  
**AND THE**  
**INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION**  
**SPECIAL SERVICE DISTRICT COUNCILS**  
**February 22, 2010**  
**7:00 P.M.**

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Scales**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – February 1, 2010**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 23, 2010 (Special Resolution)

INTRODUCED: 01/11/2010 BY: Councillors Plowman, Coleman, Moriarty Adams, Hunter and Brown

REFERRED TO: Committee of the Whole

DIGEST: recognizes the Class 5A Warren Central Warriors for their fifth State Football Championship victory in eight years

COUNCIL ACTION:

01/11/2010 Postpone until 2/1/2010

02/01/2010 Postpone until 2/22/2010

**VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 73, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Evans  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes Cathedral High School

PROPOSAL NO. 74, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillors Evans, Lewis and McHenry  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes Pike Township Schools and Pike Performing Arts Center

PROPOSAL NO. 75, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes the RTV6 Toy Drive and an Eastside Partnership

PROPOSAL NO. 76, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillors Lewis, Pfisterer and McHenry  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes Westview Hospital

PROPOSAL NO. 77, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Pfisterer  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes My Sister's Place for their continuous service to the community

PROPOSAL NO. 78, 2010 (Special Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Committee of the Whole  
DIGEST: extends the termination date of the Children's Guardian Home Re-Use Authority to September 1, 2010

PROPOSAL NO. 79, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillors Sanders, Mansfield, Minton-McNeill and Lewis, Moriarty Adams  
REFERRED TO: Committee of the Whole  
DIGEST: supports an open and transparent discussion concerning the proposal to sell or to otherwise dispose of water-related resources, water facilities, assets and properties of Indianapolis Water, and that any such disposition or decision to retain such assets be a matter reserved to the City-County Council

PROPOSAL NO. 30, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Speedy  
REFERRED TO: Administration and Finance Committee  
DIGEST: approves the Mayor's appointment of Dennis G. Papenmeier as hearing officer to preside over the administrative adjudication of parking citations  
COMMITTEE ACTION:  
02/02/2010 Do Pass 7-0

**VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND**

## **COUNCIL RESOLUTIONS**

PROPOSAL NO. 31, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Speedy  
REFERRED TO: Administration and Finance Committee  
DIGEST: approves the Mayor's appointment of John C. Krause as hearing officer to preside over the administrative adjudication of environmental violations  
COMMITTEE ACTION:  
02/02/2010 Do Pass 7-0

PROPOSAL NO. 40, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillors Mansfield and Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Kenneth D. Adams, Jr. to the Citizens Police Complaint Board  
COMMITTEE ACTION:  
02/03/2010 Do Pass 7-0

PROPOSAL NO. 41, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: reappoints Brian J. Tuohy to the Marion County Public Defender Board  
COMMITTEE ACTION:  
02/03/2010 Do Pass As Amended 7-0

PROPOSAL NO. 45, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Hunter  
REFERRED TO: Public Works Committee  
DIGEST: appoints Aaron A. Schmoll to the Air Pollution Control Board  
COMMITTEE ACTION:  
02/11/2010 Do Pass 9-0

### **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 42, 2010 (General Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: approves crime prevention initiative grant awards to specific organizations as recommended by the Crime Prevention Advisory Board and as approved by the Mayor

PROPOSAL NO. 62, 2010 (General Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Pfisterer  
REFERRED TO: Administration and Finance Committee  
DIGEST: authorizes the execution of guaranteed energy savings contracts with three qualified providers for the implementation of recommended conservation measures

PROPOSAL NO. 63, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Vaughn  
REFERRED TO: Metropolitan Development Committee  
DIGEST: reappoints Gordon Smith to the Indianapolis Housing Agency Board of Directors

### **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 64, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: reappoints Jeffrey M. Wells to the Crime Prevention Advisory Board

PROPOSAL NO. 65, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: reappoints Marilyn Pfisterer to the Early Intervention Planning Council

PROPOSAL NO. 66, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: reappoints Patricia Jones to the Early Intervention Planning Council

PROPOSAL NO. 67, 2010 (Council Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: reappoints Linda Hogan to the Early Intervention Planning Council

PROPOSAL NO. 68, 2010 (Fiscal Ordinance)  
INTRODUCED: 02/22/2010 BY: Councillor Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: approves a transfer of \$35,000 in the 2010 Budget of the Metropolitan Emergency Communications Agency (MECA and MECA Emergency Telephone System Funds) to fund overtime costs related to the operations of the customer service desk

PROPOSAL NO. 69, 2010 (General Ordinance)  
INTRODUCED: 02/22/2010 BY: Councillors Minton-McNeill and MaherND  
REFERRED TO: Public Works Committee  
DIGEST: authorizes a traffic signal at the intersection of Washington Street and California Street (Districts 15 and 19)

PROPOSAL NO. 70, 2010 (General Ordinance)  
INTRODUCED: 02/22/2010 BY: Councillor Minton-McNeill  
REFERRED TO: Public Works Committee  
DIGEST: authorizes a change in parking and manner of parking on Milburn Street between 14th Street and Indiana Avenue (District 15)

PROPOSAL NO. 71, 2010 (General Resolution)  
INTRODUCED: 02/22/2010 BY: Councillor Speedy  
REFERRED TO: Public Works Committee  
DIGEST: approves the issuance of one or more series of Indiana Waterworks District Net Revenue Bonds or notes in an aggregate principal amount not to exceed \$1.2 million to fund special main extension projects to serve unserved areas by funding through the State Revolving Loan Fund

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 72, 2010 (General Ordinance)

INTRODUCED: 02/22/2010 BY: Councillors Speedy and Moriarty Adams  
REFERRED TO: Public Works Committee  
DIGEST: amends the Code to make technical corrections and clarify provisions as a result of the excluded City of Beech Grove having exercised its statutory right to withdraw from the Marion County Stormwater Management District

**IX. SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 61, 2010 (Special Ordinance)  
INTRODUCED: 02/22/2010 BY: Councillor Cardwell  
REFERRED TO: Economic Development Committee  
DIGEST: a final bond ordinance for GMF-Berkley Commons, LLC in an amount not to exceed \$22,500,000 for the purpose of financing the acquisition and renovation of an existing 544-unit multifamily housing residential rental project known as the Berkley Commons Apartments (District 24)  
COMMITTEE ACTION:  
02/17/2010 Do Pass 5-0

PROPOSAL NOS. 80-81, 2010 (Rezoning Ordinances)  
INTRODUCED: 09/21/2009 BY: Councillor Vaughn  
REFERRED TO: Committee of the Whole  
DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on February 11, 2010

**X. SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 32, 2010 (Fiscal Ordinance)  
INTRODUCED: 02/01/2010 BY: Councillor Pfisterer  
REFERRED TO: Administration and Finance Committee  
DIGEST: appropriates \$100,000 in the 2010 Budget of the Mayor's Office of Educational Innovation (Consolidated County Fund) for charter school initiatives, including a high school accountability system, a special education evaluation system and an accountability reporting initiative, funded by a grant from the National Association of Charter School Authorizers  
COMMITTEE ACTION:  
02/02/2010 Do Pass 7-0

PROPOSAL NO. 35, 2010 (Fiscal Ordinance)  
INTRODUCED: 02/01/2010 BY: Councillor Vaughn  
REFERRED TO: Economic Development Committee  
DIGEST: appropriates \$5,500,000 in the 2010 Budgets of the Department of Metropolitan Development and Mayor's Office (Redevelopment General and Consolidated County Funds) for economic development projects and charter school initiatives, financed by settlement proceeds  
COMMITTEE ACTION:  
02/17/2010 Do Pass 4-1

**X. SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 36, 2010 (Fiscal Ordinance)  
INTRODUCED: 02/01/2010 BY: Councillor Cain

REFERRED TO: Economic Development Committee  
DIGEST: appropriates \$3,000,000 in the 2010 Budget of the Department of Metropolitan Development (Federal Grants Fund) in the form of Community Development Block Grant Disaster funds acting as fiscal agent for a pass-through grant from the Indiana State Office of Community and Rural Affairs awarded to EnerDel to purchase equipment and expand operations, which in turn will create new jobs in Marion County  
COMMITTEE ACTION:  
02/17/2010 Do Pass 4-0

PROPOSAL NO. 37, 2010 (Fiscal Ordinance)  
INTRODUCED: 02/01/2010 BY: Councillor Cockrum  
REFERRED TO: Economic Development Committee  
DIGEST: appropriates \$400,000 in the 2010 Budget of the Department of Metropolitan Development (State of Indiana Grants Fund) in the form of Industrial Development Grant funds acting as fiscal agent for a pass-through grant awarded to Lockheed Martin Aspen Systems Corporation to assist in funding purchase and installation of fiber optic cable-related equipment, which will benefit Marion County through the creation and retention of jobs  
COMMITTEE ACTION:  
02/17/2010 Strike 5-0

**XI. SPECIAL ORDERS - UNFINISHED BUSINESS**

**XII. SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 132, 2009 (General Ordinance)  
INTRODUCED: 04/13/2009 BY: Councillor Hunter  
REFERRED TO: Public Works Committee  
DIGEST: amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy  
COMMITTEE ACTION:  
04/23/2009 Postpone until 5/14/2009 8-0  
05/14/2009 Postpone until 6/18/2009 9-0  
07/09/2009 Postpone until 8/20/2009 7-0  
09/10/2009 Tabled 7-0  
12/10/2009 Postpone until 1/21/2010 9-0  
02/11/2010 Strike 9-0

PROPOSAL NO. 214, 2009 (General Resolution)  
INTRODUCED: 06/08/2009 BY: Councillor Hunter  
REFERRED TO: Public Works Committee  
DIGEST: approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project  
COMMITTEE ACTION:  
06/18/2009 Postpone until 7/9/2009 6-0  
09/10/2009 Tabled 7-0  
12/10/2009 Postpone until 1/21/2010 9-0  
02/11/2010 Do Pass 9-0

**XII. SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 43, 2010 (General Ordinance)  
INTRODUCED: 02/01/2010 BY: Councillors Plowman and Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: approves the consolidation of the Franklin Township Fire Department with the Indianapolis Fire Department on or after July 1, 2010  
COMMITTEE ACTION:  
02/03/2010 Do Pass As Amended 7-1

PROPOSAL NO. 44, 2010 (General Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Moriarty Adams  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: approves a restatement of the Marion County Sheriff's Department Personnel Retirement Plan  
COMMITTEE ACTION:  
02/03/2010 Do Pass 8-0

PROPOSAL NO. 46, 2010 (General Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Speedy  
REFERRED TO: Public Works Committee  
DIGEST: approves the request of the Department of Public Works to purchase certain land acquired for construction of a public works project  
COMMITTEE ACTION:  
02/11/2010 Do Pass 9-0

PROPOSAL NO. 47, 2010 (Council Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Vaughn  
REFERRED TO: Rules and Public Policy Committee  
DIGEST: approves the Mayor's establishment of a charter school, "Indiana Math and Science Academy North" by issuing a charter to Indiana Math and Science Academy East, Inc.  
COMMITTEE ACTION:  
02/09/2010 Do Pass 5-3

PROPOSAL NO. 48, 2010 (General Resolution)  
INTRODUCED: 02/01/2010 BY: Councillor Pfisterer  
REFERRED TO: Rules and Public Policy Committee  
DIGEST: approves a request of the School District of School Town of Speedway to certify its public question referendum to the County Election Board for the May, 2010 election  
COMMITTEE ACTION:  
02/09/2010 Do Pass 8-0

**XIII. SPECIAL SERVICE DISTRICT COUNCILS**

**XIV. NEW BUSINESS**

## **XV. ANNOUNCEMENTS AND ADJOURNMENT**

*The President* The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

*President's Designee* Mr. President.

*The President* The Chair recognizes Councillor Sanders.

*The Councillor* Mr. President, I have been asked to offer the following motion for adjournment:

by All Councillors in memory of Frieda Valeria Dezelan and Kenneth Keegan.

by Councillor Sanders in memory of Leo J. Hine..

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request 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 family of each person advising of this action.

*The President* Thank you, Councillor Sanders. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

## **XVI. PENDING PROPOSALS**

PROPOSAL NO. 243, 2009 (Special Ordinance)

INTRODUCED: 06/29/2009 BY: Councillors Hunter and Evans

REFERRED TO: Public Works Committee

DIGEST: approves and authorizes execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion and Hamilton Counties

COMMITTEE ACTION:

07/09/2009 Postpone until 7/30/2009 7-0

07/30/2009 Tabled 8-0

12/10/2009 Postpone until 1/21/2010 9-0

02/11/2010 Postpone until 4/1/2010 9-0

PROPOSAL NO. 359, 2009 (General Ordinance)

INTRODUCED: 09/21/2009 BY: Councillors Hunter, McQuillen and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to adopt a new chapter requiring permits for funeral and other escorted vehicular processions

COMMITTEE ACTION:

09/23/2009 Tabled 8-0

## **XVI. PENDING PROPOSALS**

### **PROPOSAL NO. 371, 2009 (General Ordinance)**

**INTRODUCED:** 10/05/2009 BY: Councillors Hunter and Mansfield

**REFERRED TO:** Community Affairs Committee

**DIGEST:** amends the Code with respect to nonsmoking areas

**COMMITTEE ACTION:**

10/14/2009 Do Pass As Amended 4-2

**COUNCIL ACTION:**

10/26/2009 Indecisive Vote 12-13

10/26/2009 Tabled 14-13

11/09/2009 Overruled Chair's Decision on Tabling 12-16

11/09/2009 Postpone until 11/30/2009 28-0

11/30/2009 Returned to Committee 20-7

**COMMITTEE ACTION:**

12/30/2009 Postpone until 4/14/2010 4-0

### **PROPOSAL NO. 378, 2009 (Special Resolution)**

**INTRODUCED:** 10/05/2009 BY: Councillor Cockrum

**REFERRED TO:** Rules and Public Policy Committee

**DIGEST:** supports FedEx Express operations and the City of Indianapolis

**COMMITTEE ACTION:**

10/13/2009 Do Pass As Amended 5-1

**COUNCIL ACTION:**

10/26/2009 Returned to Committee

**COMMITTEE ACTION:**

11/04/2009 Tabled 7-0

### **PROPOSAL NO. 408, 2009 (General Resolution)**

**INTRODUCED:** 11/09/2009 BY: Councillor Smith

**REFERRED TO:** Economic Development Committee

**DIGEST:** approves the guaranty of the yield on low income tax credits in order to enable the sale of such low income tax credits by the Indianapolis Housing Agency for rehabilitation projects in the City to be developed by its non-profit arm Partners for Affordable Housing, Inc.

**COMMITTEE ACTION:**

11/23/2009 Postponed 7-0

12/08/2009 Tabled 5-0

### **PROPOSAL NO. 418, 2009 (Special Resolution)**

**INTRODUCED:** 11/09/2009 BY: Councillors MahernB, Lewis, Sanders, MahernD, Hunter, Smith, Mansfield and Malone

**REFERRED TO:** Metropolitan Development Committee

**DIGEST:** urges the General Assembly and Governor to grant additional authority to the Council to review and approve all tax abatements, postpone consideration of tax abatements and zoning changes, and review and approve any real estate acquisition by the Metropolitan Development Commission in excess of \$25,000

**COMMITTEE ACTION:**

12/07/2009 Do Pass 2-5

## **XVI. PENDING PROPOSALS**

PROPOSAL NO. 432, 2009 (General Ordinance)

INTRODUCED: 11/30/2009 BY: Councillor MahernD

REFERRED TO: Administration and Finance Committee

DIGEST: amends the employee residence requirements related to employment of persons possessing specialized skills and training for which there are no qualified or employable applicants who are also Marion County residents

COMMITTEE ACTION:

12/01/2009 Postpone until 2/23/2010 6-0

PROPOSAL NO. 3, 2010 (Council Resolution)

INTRODUCED: 01/11/2010 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: re-nominates David Oeth to the Speedway Economic Development Commission

PROPOSAL NO. 9, 2010 (Council Resolution)

INTRODUCED: 01/11/2010 BY: Councillor Smith

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Roberto A. Ramirez to the Metropolitan Development Commission

COMMITTEE ACTION:

01/25/2010 Do Pass 1-4

PROPOSAL NO. 10, 2010 (Council Resolution)

INTRODUCED: 01/11/2010 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: reappoints Alan E. Retherford to the Metropolitan Board of Zoning Appeals, Division III

COMMITTEE ACTION:

01/25/2010 Do Pass 1-4

PROPOSAL NO. 33, 2010 (Council Resolution)

INTRODUCED: 02/01/2010 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: appoints Michael Halstead to the Indianapolis City Market Corporation Board of Directors

PROPOSAL NO. 34, 2010 (General Ordinance)

INTRODUCED: 02/01/2010 BY: Councillor Cain

REFERRED TO: Ethics Committee

DIGEST: amends the Code to make technical corrections regarding when economic statements of interest need to be filed

PROPOSAL NO. 38, 2010 (General Ordinance)

INTRODUCED: 02/01/2010 BY: Councillor Speedy

REFERRED TO: Metropolitan Development Committee

DIGEST: amends the Code to re-assign the duties of Chapter 701, Trees and Flora, amongst the Departments of Code Enforcement, Public Works and Parks and Recreation, and to make other technical corrections

## **XVI. PENDING PROPOSALS**

PROPOSAL NO. 39, 2010 (General Ordinance)

INTRODUCED: 02/01/2010 BY: Councillor Coleman

REFERRED TO: Parks and Recreation Committee

DIGEST: amends the Code to clarify provisions with respect to possession of firearms on park property