

RULES AND PUBLIC POLICY COMMITTEE

DATE: June 16, 2009

CALLED TO ORDER: 5:32 p.m.

ADJOURNED: 7:36 p.m.

ATTENDANCE

ATTENDING MEMBERS

Robert Lutz, Chairman
Bob Cockrum
Monroe Gray
Angela Mansfield
Lincoln Plowman
Joanne Sanders

ABSENT MEMBERS

Barbara Malone
Marilyn Pfisterer

AGENDA

PROPOSAL NO. 219, 2009 - confirms the mayor's nomination of Sondra Gunnell to the City-County Ethics Commission

"Do Pass"

Vote: 5-0

PROPOSAL NO. 220, 2009 - approves the mayor's establishment of a charter school "Indiana Aerospace Junior/Senior High School" by issuing a charter to Indiana Aviation High School, Inc.

"Do Pass"

Vote: 5-1

PROPOSAL NO. 221, 2009 - approves the mayor's establishment of a charter school, "Irvington Community School" by issuing a charter to Irvington Community School, Inc.

"Do Pass"

Vote: 5-1

PROPOSAL NO. 222, 2009 - approves the mayor's establishment of a charter school, "Paramount School of Excellence" by issuing a charter school to Paramount School of Excellence, Inc.

"Do Pass"

Vote: 5-1

PROPOSAL NO. 177, 2009 - amends the Code to establish a new city department of code enforcement, to consolidate into two sections the various fees to be collected by the new department, and to make corresponding technical corrections

"Do Pass As Amended"

Vote: 6-0

FISCAL IMPACT STATEMENT OF COLLECTIVE BARGAINING AGREEMENT FOR
FIRE DEPARTMENT EMERGENCY MANAGEMENT – Chief Brian Sanford,
Indianapolis Fire Department; Deputy Chief Scott Isaacs, Emergency Management
Services; and Valerie Washington, Department of Public Safety
“Postponed” until July 7, 2009

Vote: 5-0

RULES AND PUBLIC POLICY COMMITTEE

The Rules and Public Policy Committee of the City-County Council met on Tuesday, June 16, 2009. Chairman Robert Lutz called the meeting to order at 5:32 p.m. with the following members present: Bob Cockrum, Monroe Gray, Lincoln Plowman and Joanne Sanders. Angela Mansfield arrived shortly thereafter. Barbara Malone and Marilyn Pfisterer were absent. General Counsel Robert G. Elrod represented Council staff.

Chairman Lutz asked the Committee members to introduce themselves and indicate which Council district they represent.

PROPOSAL NO. 219, 2009 - confirms the mayor's nomination of Sondra Gunnell to the City-County Ethics Commission

Chairman Lutz asked Ms. Gunnell what sparked her interest to serve in this capacity. Ms. Gunnell said that she has always been interested in public service and volunteerism. She said that in owning her own businesses in the past, she also encouraged her staff to volunteer and serve in the community as she did. She said that she feels her experiences will aid her in serving on this commission.

Chairman Lutz asked if Ms. Gunnell lives in Marion County. Ms. Gunnell answered in the affirmative.

Councillor Plowman moved, seconded by Councillor Cockrum, to forward Proposal No. 219, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 5-0.

Chairman Lutz thanked Ms. Gunnell for her willingness to serve on this commission.

Chairman Lutz said that he received notice that staff is not yet ready to proceed with action on the fiscal impact statement for the collective bargaining agreement of the Indianapolis Fire Department's (IFD) Emergency Management Services (EMS) Division. He asked for consent to move the proposal next on the agenda in order to postpone it, so that audience members interested in that item are not sitting through the entire meeting. Consent was given.

FISCAL IMPACT STATEMENT OF COLLECTIVE BARGAINING AGREEMENT FOR FIRE DEPARTMENT EMERGENCY MANAGEMENT – Chief Brian Sanford, Indianapolis Fire Department; Deputy Chief Scott Isaacs, Emergency Management Services (EMS); and Valerie Washington, Department of Public Safety

Councillor Plowman moved, seconded by Councillor Cockrum, to "Postpone" action on the EMS Fiscal Impact Statement until July 7, 2009. The motion carried by a vote of 5-0.

PROPOSAL NO. 220, 2009 - approves the mayor's establishment of a charter school "Indiana Aerospace Junior/Senior High School" by issuing a charter to Indiana Aviation High School, Inc.

Karega Rausch, Charter Schools Director, Office of the Mayor, distributed a handout (attached as Exhibit A) that details the charter school process and provides more information regarding each charter being proposed this evening. He briefly reviewed the handout and explained the application process for Indianapolis Charter Schools.

[Clerk's note: Councillor Mansfield arrived at 5:39 p.m.]

Roger Tomey, Indiana Aerospace Junior/Senior High School, referred to page two of Exhibit A, outlining the characteristics and defining attributes of this proposed aerospace/aviation school. This school will offer students a dual credit program providing a high school degree and college credit at completion, along with some available internships with companies such as Rolls Royce, Republic Airlines, AAR Corporation, Federal Express and Freedom Helicopters. He said that students will not simply be learning science and mathematics in a classroom setting, but will be given vital hands-on instruction on how to apply those disciplines in specialized fields such as aviation, engineering, piloting, mechanics and healthcare. This will be one of the very few high schools in the nation that offers a complete flight program, where students can graduate with a pilot certificate, and with as little as an additional six credit hours can complete an associates degree. Even if the students do not choose a career path in aviation, the program gives these individuals a solid foundation, more confidence and self-esteem to achieve future goals and succeed in life.

Chairman Lutz said that Wayne Township schools have an Area 31 Program, which has an aviation component. He asked how this proposed program differs from the Area 31 Program currently offered at Wayne Township, since this school is only about a mile and a half from the Wayne Career Center. Mr. Tomey said the Area 31 Program is more of a ground school, where only about four of their students have taken the flight exam. The Aerospace School is not just offering the foundation to become a pilot, airplane mechanic or air traffic controller, but will focus on all aerospace venues, including logistics, distribution, weight and balance with Fed Ex, and medicine and healthcare with NASA. He said that they begin in seventh grade, and will immerse these students at a very early age and offer a much broader perspective into avionics and aeronautic fields. Mr. Rausch added that they looked at this very issue during the application process to ensure that this proposed charter is not duplicating services that are already being provided. He said that they had several conversations with Mike Gehrich of Vincennes University, who is an instructor with the Aviation Technology Center for Wayne Township's Area 31 Aviation Program. Mr. Gehrich supports the

charter, and would have been in attendance this evening if not for a previously scheduled medical procedure. Mr. Rausch said that some of the main differences are:

- Area 31 is training students to enter the workforce after specialized career training completed with high school, whereas the proposed charter is designed to be a college preparatory school with emphasis on science, math, engineering and technology, which infuses aerospace and aviation themes into the delivery model.
- The Wayne Career Center currently offers three classes in aviation-related careers, whereas this proposed charter is designed to be a junior/senior high school with a full emphasis on avionics and aerospace fields, instead of just offering a few elective classes.
- The charter school will be in session for 200 days a year, which is considerably longer than the 180 days required by the state for traditional schools.
- The three courses available at the Career Center are only offered to 11th and 12th grade students, whereas this proposed charter will serve a much broader range of students, beginning in the 7th grade.
- The Career Center courses will accept no more than 15 students at a time, and none of these classes have reached full enrollment this year, indicating that these programs will serve a different population of students.

Chairman Lutz stated that this clears up a lot of his concerns. He said that he has left a message for Mr. Gehrich, but has not yet heard back from him, and was concerned about the possible impact on that program. Mr. Rausch added that Mr. Gehrich actually is a member of this proposed charter school's board.

Councillor Sanders asked what Mr. Tomey meant when he indicated that the program has been run for two or three years. Mr. Tomey responded that an Experimental Aircraft Association (EAA) was formed to help get people involved in aviation in an economical way. In the early 1970s, they got together with the University of Wisconsin and started developing educational programs for middle and high school students, which evolved into the Young Eagle program in 1992, which gives children the opportunity to receive their first airplane ride for free. A group of pilots in Greenwood, Indiana wanted to become involved in giving back to their community, and began a Young Eagle program with the schools in Greenwood. The superintendent of that school system was a pilot, who felt this program was a good way to show kids why they need to learn and how they can use math and science. This led to the development of a ground school, working with the local universities and getting students involved. He said that the ground school was held on 48 Saturdays, and 25 students came and sat in a classroom from 8:00 a.m. until noon on their day off from school to learn this information. This showed that there is a desire to learn this information, and many parents testified that their children's grades improved and they paid better attention in math and science classes, knowing how it would benefit them in the future.

Councillor Sanders asked what kind of arrangement the school has with the airport regarding using their facility. Mr. Tomey said that they are fortunate to be working with Vincennes University and will be holding classes at the Aviation Technology Center, which is owned by the Indiana Housing Finance Authority. The school will utilize that space at least for the first few years, until the enrollment fills out and their own building is needed. He said that they will be able to use this facility at no charge to the school. Mr. Rausch added that the school has a memorandum of understanding with Vincennes for the use of this facility.

Keith Gwin, citizen, stated that he is a parent of an eleven year-old who would be at the right age to begin at such a school. He added that he supports the proposal because he wants his children to have the opportunity to broaden their horizons. He thinks the curriculum is great to help keep children interested in the importance of math and science education.

Councillor Sanders asked within which school district the school is located. Mr. Rausch answered that it will be in Wayne Township. Councillor Sanders asked if the school, however, is open for enrollment by any child within the state. Mr. Rausch answered in the affirmative and said that all charter schools are required to be open to any child residing within the state of Indiana.

Councillor Plowman moved, seconded by Councillor Mansfield, to forward Proposal No. 220, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 5-1, with Councillor Sanders casting the negative vote.

Councillor Sanders explained that she is not voting against this specific school concept, but she has philosophical concerns about the amount of charter schools in the area and how they impact school districts.

Chairman Lutz stated that he is a co-sponsor of this proposal, and the school is located within his district. He said that he would still like to talk with Mr. Gherich to ensure that this program is not duplicating the program that already exists in the area, and that the addition of this school will not cause either program to fail. He added that he voted to send the proposal on to the full Council because he did not want to hold up the process, but would still like to confirm that there is no conflict.

PROPOSAL NO. 221, 2009 - approves the mayor's establishment of a charter school, "Irvington Community School" by issuing a charter to Irvington Community School, Inc.

Mr. Rausch said that the Irvington Community School is not a new charter school, and nothing will change with the concept or administration of the school, other than changing the authorization for the school.

Tim Ehergott, founder and president of the Irvington Community School, said that Irvington has enjoyed seven successful years as a charter school and has grown from a

Kindergarten through 5th Grade school renting space for 115 students to, in the next year, a 700-student Kindergarten through 12th Grade school with two campuses. The Irvington Community School, a four-year-old, 35,500 square-foot Kindergarten through 8th Grade facility, is located at 6705 East Julian Avenue. The Irvington Preparatory Academy will be a full-term high school next year, with the addition of 12th grade to its 30,000 square-foot facility in a former public and private school building, which was in danger of being abandoned before their purchase. The school is small, with a waiting list of over 250 students and operates year-round, open 197.5 days a year. Their academic program is composed of a strong liberal-arts curriculum, with the high school focused on college preparation, including Advanced Placement classes and dual-credit courses through IUPUI and Ivy Tech. Irvington follows the Indiana standards for its base curriculum, with testing data driving individual and small-group activities and their ISTEP and NWEA scores are at or above the state average and showing expected gains. Irvington uses its Title I monies to fund a mathematics coach and a literacy coach, along with aides, to assist students who are academically at-risk and to help teachers develop strategies to help those students who need help. Mr. Ehrgott cited some awards and achievements the school has received since its inception, and explained partnerships and other community involvement.

Mr. Ehrgott said that while the school has enjoyed a good relationship with their current charter authorizer, Ball State University (BSU), and successfully completed a renewal process with BSU this year, it is good to re-evaluate relationships after seven years. Therefore, they have requested a charter contract from the Mayor's Office for a couple of reasons. The first reason is that they have seen the positive impact the school has had on the community of Irvington, and would like to be more a part of what is going on in the charter-school movement in Indianapolis. Secondly, they have always had a good working relationship with the Mayor's Office of Charter Schools and its individual schools, and this would build on the existing positive relationships. Finally, as stewards of the school and the tax money that is used to support it, an important consideration for this application is the mayor's ability to provide oversight without an administrative fee. When the school was smaller, this was not as great a consideration, but with more than 700 students next year, this becomes a six-figure issue. Mr. Ehrgott said that this was not a hasty decision, but one that they have been considering for several years. He said that this is the first such situation that the Mayor's program has encountered, with a charter school wishing to transfer its contract, but they believe the Indianapolis Office of Charter Schools would gain a successful school that has built a good reputation and has had a large positive impact on its students, families, staff, and community.

Chairman Lutz asked if Councillor Hunter, in whose district the school is located, has been contacted regarding this proposal. Mr. Ehrgott answered in the affirmative. Mr. Rausch stated that Councillor Hunter is supportive and has asked to be added as a co-sponsor.

Jamie Scott, incoming Senior at Irvington Community School, said that Irvington is a smaller school than her previous school, Scecina Memorial High School. She said that

students are more connected to the teachers and have more opportunities for leadership and opportunities to experience more “firsts” in their lives in a new school. She encouraged committee members to support the proposal.

Neva Hagedorn, parent of an Irvington Community School student, said that she had her daughter in a private school and had made the decision to sell her home and move into a different school district when her daughter was accepted to Irvington, allowing them to stay in their home and get a quality education without having to pay very expensive private school tuition. She said that charter schools give parents choices and help to promote civic and community involvement that is irreplaceable.

Dan Moeller, parent of an Irvington Community School student, said his daughter has autism and is able at Irvington to be included in mainstream classes with a modified curriculum, instead of separate classes. He said that she is doing well and has made the honor roll, and he is grateful for the opportunities Irvington provides for his daughter.

Leslie Hiner, Chair, Board of Directors of Irvington Community School, said the Board has been giving very careful consideration to this decision for some years. She said that the Board of Directors unanimously voted to approve this authority transition to the Mayor’s Office. She said that they are deeply vested in the Indianapolis community and enjoy a great relationship with the Mayor’s Office and would consider it a privilege to have a charter under that authorization.

Councillor Plowman moved, seconded by Councillor Mansfield, to forward Proposal No. 221, 2009 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 5-1, with Councillor Sanders casting the negative vote.

Bruce Patton, retired minister and member of the Concerned Clergy, asked if it is appropriate to ask if there has been consideration of the Indianapolis Public Schools’ (IPS) superintendent’s request to put a moratorium on the development of new charter schools until IPS gets a chance to advance and use some of these resources for the benefit of their students. He said that there have been about 4,000 students lost from IPS to charter schools. He said according to Dr. Eugene White, Superintendent of IPS, IPS does just as well as charter schools and some are even outperforming them. He said that IPS is offering better opportunities that are not included in the charter program. IPS Montessori school is among the top performers in the state and he relayed other awards by local IPS magnet schools.

Chairman Lutz said that the Committee does not give the recommendations for charters; they simply act on recommendations of the Mayor. Mr. Rausch said they applaud the IPS school system and Dr. White’s creative thinking to resolve some of the IPS issues. He added that the explosion of magnet programs is doing amazing things with children in the community. However, he added that it is important to note that magnet schools may not have been as successful without the competition of charter schools. The primary reason they think it is imperative to continue to provide options for

education in Indianapolis are the 1,600 students on waiting lists trying to get into charter schools and the fact that parents want and need options. He said the Mayor's Office has been extremely selective in the application process, and only 20% of those proposals submitted are approved. Mr. Patton said with 17 charter schools in the Indianapolis area, perhaps it would be nice to have a break from the creation of new charters in order to give IPS a little more opportunity, resources and students.

Elder Lionel T. Rush, Second Vice President and Legislative Chairman of the Concerned Clergy, said that he attended the special session of the Legislature and the topic of school funding came up. He said Representative Delaney testified that there are 72 IPS buildings in Indianapolis and 20 charter schools. Nowhere else in the 92 counties in Indiana is the percentage of charters that significant; many school districts do not even have charters. He said these charter schools are sub-planting IPS schools, whether intended or not. He said that this is a concern for the community and the Concerned Clergy. Elder Rush said that although he supports President Obama and knows that President Obama supports charters in Chicago, he feels there are too many in Indianapolis. He added that State Representative Bill Crawford asked during deliberations how the stimulus dollars will affect IPS and charter schools. He said that there is only a limited amount, and if charter schools receive those funds, IPS will suffer. He encouraged members to take action that will not harm existing IPS schools and insure that teachers are not let go. He said that the Concerned Clergy is interested in amending the IPS School System instead of ending it.

Councillor Gray said that this particular school is not a new one, and this proposal is just changing the authority for a school that already exists. He added that magnet schools existed before charter schools, and they were not created to compete with charters as Mr. Rausch made it sound. Mr. Rausch said that it was not his intent to imply such.

PROPOSAL NO. 222, 2009 - approves the mayor's establishment of a charter school, "Paramount School of Excellence" by issuing a charter school to Paramount School of Excellence, Inc.

Dr. Michelle Thompson, co-founder of Paramount School of Excellence, stated that she has been an educator in Indianapolis for 29 years. She said that the Paramount School will operate in the Near Eastside Community Organization (NESCO) area and will be the first school to operate in this community. She said that the school will operate as a Kindergarten through 8th Grade school, serving 645 students at capacity. The school will focus on bringing a world-class education to students, as well as addressing the social well-being and health of the children. She said the school will have a rigorous and integrated curriculum using the Core Knowledge Sequence to open the world to the students on a project-based approach, which allows real-world application, helping students learn better. Dr. Thompson added that Paramount will operate as the first green school in the state of Indiana. She said that the curriculum is also focused a great deal on character development, teaching children to respect themselves, others and their environment.

Dimitri Snowden, co-founder of Paramount School of Excellence, said that discovery zones will be developed within the building so that every area of the school will be a learning environment. He said that the school will feature a 450-foot wind turbine to help minimize the school's carbon footprint, the first elementary school in the state to feature such. The school will feature a full garden and a reflections pond, where students will be able to nurture a mini ecological system and understand how nature works. Mr. Snowden reviewed the Home and Solace Program, which will help minimize the impact of housing instability on students. The school is hoping to acquire and renovate 10 homes per year in the area and offer these to parents of students at below-market rates, in order to keep the students in a stable learning environment. Dr. Thompson added that she helped launch the Crystal House, Hope Academy, and Challenge Foundation charter schools and has background in the area of charter schools. The Institute for School Excellence currently serves eight charter schools in the Indianapolis area.

Councillor Mansfield said she appreciates the efforts of the Home and Solace Program to link the stability of the family home situation with a student's ability to receive a quality continuum of learning. She asked how the program will work with families who might enroll a child in the school just to get the below-market housing, and then take their child out of the school a year later. She asked how that program will be monitored. Mr. Snowden said they are still working on the details of this program as to how that can be linked. Right now, they are looking to offer some kind of incentive for homeownership to anyone in that area in a critical housing situation, using rent-to-own programs and other incentives, instead of reserving the homes just for Paramount students' families. Dr. Thompson said that they are committed to helping create community stability in the area, moreso than building up the school's enrollment.

Chairman Lutz asked in whose Council district this school will be located. Mr. Rausch stated that it is in Councillor William Oliver's district, and he has been contacted, but they have not yet heard back from him.

Jerry Shepherd, near eastside resident, stated that he is in favor of this school. He said he has witnessed many improvements in the community, but he has not seen enough improvements with respect to children's education. He said he believes that charter schools offer quality education for children, and he believes approval of this charter will create stability and restoration for the community.

Denise Walker, Brookside Neighborhood Association secretary and near eastside resident, said she is very excited about the school coming into the neighborhood, which is only a couple of blocks from her home. Brookside Neighborhood Association has voted to support the Paramount School charter. She said she is very excited about the school's commitment to the environment and the opportunities that this school will provide to parents in the neighborhood by offering them more choices.

Elena Looper, grandparent, said that she was a great advocate of IPS until her grandson could not receive the education that he needed. She said this was before Dr. White came to IPS, and she is looking forward to seeing IPS be all that it can be. She said there are current studies that indicate that students lose up to a month's learning during traditional summer breaks, proving the old adage that "an idle mind is the devil's workshop." She added that students who outperform others during the day, end up sitting idle, as well. In reading the information regarding this proposed charter, students will be encouraged to be independent thinkers and independent achievers. She said she has the highest regard for Dr. Thompson, whom she worked with at the Challenge Foundation, and feels she truly understands what children need with regard to education. She said that this charter will bring superior education to the neighborhood.

Chip Gibson, former board member and president of NESCO and president of the Brookside Neighborhood Association, said that he believes through the years of public education, the time for charter schools has come. He said he wants to stress that this is not about IPS being bad and charter schools being good. He said that he is a member of the council for School #54 in his neighborhood, and he supports this IPS school, as well. He said he believes this is an opportunity to give parents a choice in education. He believes that the opportunity to attend a charter school might have helped him when growing up, as he had dyslexia that was not caught because of the way public schools taught.

Councillor Plowman moved, seconded by Councillor Mansfield, to forward Proposal No. 222, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 5-1, with Councillor Sanders casting the negative vote.

[Clerk's Note: Chairman Lutz called for a five-minute recess at 6:47 p.m.]

PROPOSAL NO. 177, 2009 - amends the Code to establish a new city department of code enforcement, to consolidate into two sections the various fees to be collected by the new department, and to make corresponding technical corrections

Rick Powers, Director, Office of Code Enforcement, said that this proposal deals mostly with housekeeping and changing names. He said this proposal brings the core functions of licensing, permitting, and inspection into one area to create efficiencies. He said that the proposal simply creates a new city department of code enforcement with a board to oversee them, as with any other department. The proposal transfers the division of compliance, division of licensing, division of weights and measures, contract management towing, and mowing contracts into one department of code enforcement. He said that they have spoken with all those entities that will be affected, and the goal is to create a fee-supported department. He added that he believes many neighborhood activists will be more than eager to serve on this board to insure compliance in their community. He referred to a proposed amendment (attached as Exhibit B) which helps clean up some language found since the proposal's introduction and incorporate other recently passed legislation.

Chairman Lutz asked if this particular board already exists under another name. Mr. Powers answered in the negative and stated that a new board will need to be created. Chairman Lutz asked if the idea behind the new department is to create a one-stop location for citizens. Mr. Powers answered in the affirmative, and said that they hope to create even further efficiencies after these core functions are consolidated in order to save the taxpayer time and money. Chairman Lutz said that he is particularly intrigued by the one-stop code enforcement opportunity. He relayed an example of an abandoned home in a neighborhood, and asked if this proposal will provide an opportunity for constituents to call one place to report trees, high weeds, abandoned homes and other corresponding nuisances that might be created by an abandoned home in their community. Mr. Powers answered in the affirmative, and stated that this is the goal, and they hope to partner with other corresponding agencies to help with all compliance issues. Chairman Lutz stated that some of these functions may be the responsibility of the Health and Hospital Corporation, and he received a letter from the director that they are in support of this proposal. Mr. Powers said that they plan to work closely with Health and Hospital on such issues and are grateful for their support.

Councillor Cockrum moved, seconded by Councillor Sanders, to "Amend" Proposal No. 177, 2009 as described in Exhibit B. The motion carried by a vote of 6-0.

Councillor Cockrum moved, seconded by Councillor Plowman, to "Amend" Proposal No. 177, 2009 as described in Exhibit C, which is attached, and deals with the standing committee of the Council to which this new department will report.

Councillor Mansfield said the number of standing committees has been expanded since she took office in 2004. She said that she believes that code enforcement should remain under Metropolitan Development, where it is much more germane, and she feels it makes no sense to put this duty under Community Affairs. She said that as past chairperson of the Community Affairs Committee, there is very little activity for that committee, and will be even less with the termination of the Children's Guardian Home. She said that she could see times when items before this new department might fit better into Public Works, but she does not feel it should be grouped with Community Affairs. She added that the members of the Metropolitan Development Committee have more expertise and experience in dealing with the items that would come from this new department. She said that personally, she would like to see the Council streamline and get rid of the Community Affairs Committee and incorporate it and the Municipal Corporations Committee into the Administration and Finance Committee. She stated that she strongly opposes this amendment.

Councillor Plowman asked Councillor Mansfield to explain again her thoughts on streamlining and eliminating committees. Councillor Mansfield said that this comment is not necessarily germane to this proposal, but it has been her feeling for some time, even as far back as when she served as chair of the Community Affairs Committee, that some of these committees are somewhat extraneous.

Councillor Cockrum said this proposal was discussed in the chairman's meeting, and the feeling was that the Community Affairs Committee does not currently have enough substantive meetings, and moving code enforcement into that committee would provide an opportunity for this committee to deal with more substantive issues. He said many of the committees are in line with department heads, and there is not a department head associated with the Community Affairs Committee, so there was an agreement at the chairman's meeting to add that function under their purview.

Councillor Sanders said that she appreciates Councillor Cockrum's explanation, but said that she concurs with Councillor Mansfield that code enforcement issues will continue to be more germane with those issues that come before the Metropolitan Development Committee.

Chairman Lutz asked if Mr. Powers has any strong feelings regarding this amendment. Mr. Powers said that his staff exists to serve the public, and he would defer to the Council to decide best where the new department should report.

Mr. Elrod said that the law requires that the Council appoint a committee to oversee the operations of each department. The intent seems to be that there be a separate committee to oversee each department, but the law does not specify that each committee only oversee one department. Chairman Lutz asked if there is a problem, then, having one committee oversee two departments. Mr. Elrod said that he is not sure there is a problem, but the statute says the Council will appoint a committee to oversee the operations of each department, and there is some argument as to whether that means a separate committee for each department.

Councillor Sanders said that the Administration and Finance and Public Safety and Criminal Justice Committees oversee many areas. She said that maybe this archaic law needs to be revisited. Mr. Elrod said that although these committees oversee areas outside of the direct department, no department is overseen by more than one committee. The rule does not prohibit a committee from overseeing additional entities or issues other than those relating to the city department. He said that leaving code enforcement with metropolitan development would mean that there are four committees overseeing five departments.

Councillor Plowman asked how Mr. Elrod feels about this amendment as written. Mr. Elrod answered that it would not create as much of an issue, in his opinion, to include code enforcement with community affairs, since community affairs is not a city department.

The motion to "Amend" Proposal No. 177, 2009 as per Exhibit C failed by a vote of 3-3, with Councillors Gray, Mansfield and Sanders casting the negative votes.

Norman Pace, representative of the Marion County Alliance of Neighborhood Associations (MCANA), Far Eastside Neighborhood Association, and Warren Township Development Association, said that MCANA representatives have been involved in many discussions regarding this proposal. He stated that if this consolidation will provide more responsive times in clearing up neighborhood issues, the board members of MCANA heartily endorse the proposal. He said that when Mr. Powers came on board, he implemented changes in the approach to addressing these vital community issues to provide a better quality of life for the citizens of Indianapolis. He said that he does not understand the whole technical aspect of how it will all work, but they need to try something to be more aggressive with regard to neighborhood compliance. He added that if this will enhance compliance in the neighborhoods, the community organizations will support it wholeheartedly.

Steven Hoback, citizen, stated that he worked with getting the city a 319 grant from the Environmental Protection Agency (EPA), that helps to educate the public and officials with regard to stormwater going into waterways. He said they would like better definitions of weeds and rank vegetation in Chapter 575 of the Revised Code of the City of Indianapolis, to include more specifics as relayed in Chapter 701. He read excerpts from the Public Health Law Bench Book for Indiana Courts regarding woodlands and weeds. He asked that the Committee table this proposal until better definitions can be determined.

Councillor Plowman thanked Mr. Hoback for his comments and asked if Mr. Hoback would consider meeting with Mr. Powers to discuss some of his concerns. He said that a lot of people have spent countless hours on this proposal regarding the creation of this new department, and he would prefer they move forward with the proposal and address Mr. Hoback's concerns with a future amendment. Mr. Hoback stated that he would be happy to meet with Mr. Powers. Mr. Powers said that he believes this is something they need to look at going forward and he believes the creation of this new department will help better accommodate this type of communication.

Chairman Lutz stated that Mr. Hoback's concerns are more of a substantive Code change and do not necessarily speak directly to the creation of a new department, which is what this proposal is doing. He said that he would like to move forward on the proposal instead of tabling it, so that the new department can be legally created before budget deliberations. He said that Mr. Hoback can then work with Mr. Powers to address his issues more thoroughly.

Mr. Gibson said that as a member of the code compliance committee for NESCO, they are in support of consolidating all the compliance, licensing and permit functions under one umbrella.

Victoria Pardue-Edwards, Mid-North Public Safety Committee, said that their committee consists of various public safety agencies and neighborhood activists. She said that they would like to see this proposal forwarded to the full Council for discussion.

Councillor Plowman moved, seconded by Councillor Sanders, to forward Proposal No. 177, 2009 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 6-0.

There being no further business, and upon motion duly made, the meeting was adjourned at 7:36 p.m.

Respectfully Submitted,

Robert Lutz, Chairman

RL/ag