

## RULES AND PUBLIC POLICY COMMITTEE

**DATE:** September 29, 2009

**CALLED TO ORDER:** 5:31 p.m.

**ADJOURNED:** 5:55 p.m.

### ATTENDANCE

#### ATTENDING MEMBERS

Robert Lutz, Chairman  
Bob Cockrum  
Monroe Gray  
Barbara Malone  
Angela Mansfield  
Marilyn Pfisterer  
Lincoln Plowman  
Joanne Sanders

#### ABSENT MEMBERS

### AGENDA

PROPOSAL NO. 256, 2009 - calls upon the hospitality industry to reduce the negative impact of outsourcing jobs on the community

"Postpone" until October 13, 2009

Vote: 8-0

PROPOSAL NO. 286, 2009 - amends the Code regarding residency requirements for employees of the City and County

"Do Pass"

Vote: 8-0

PROPOSAL NO. 303, 2009 - amends the Code to add a new section regarding the internet posting of city and county contracts

"Postpone" until November 4, 2009

Vote: 8-0

#### BUDGET REVIEW/RECOMMENDATIONS FOR CIVIL TAXING UNITS

Warren Park and Spring Hill

PROPOSAL NO. 369, 2009 - reviews the 2010 tax rates, tax levies and budgets of the Towns of Warren Park and Spring Hill and adopts recommendations with respect thereto

"Do Pass"

Vote: 8-0

## **RULES AND PUBLIC POLICY COMMITTEE**

The Rules and Public Policy Committee of the City-County Council met on Tuesday, September 29, 2009. Chairman Robert Lutz called the meeting to order at 5:31 p.m. with the following members present: Bob Cockrum, Monroe Gray, Barbara Malone, Angela Mansfield, Marilyn Pfisterer, Lincoln Plowman and Joanne Sanders. Councillors Dane Mahern and Benjamin Hunter were also in attendance. General Counsel Robert Elrod and Chief Financial Officer James Steele represented Council staff.

Chairman Lutz asked Councillors to introduce themselves and indicate which portion of the County they represent.

PROPOSAL NO. 256, 2009 - calls upon the hospitality industry to reduce the negative impact of outsourcing jobs on the community

Chairman Lutz said that this item has been on the calendar for some time and he realized a couple of representatives of organizations that should have been notified of this meeting were not notified. He asked with consent of the co-sponsors, Councillors Plowman and Sanders, if this proposal could be postponed to allow those organizations to weigh in on this matter.

Councillor Sanders moved, seconded by Councillor Plowman, to "Postpone" Proposal No. 256, 2009 until October 13, 2009. The motion carried by a vote of 8-0.

PROPOSAL NO. 286, 2009 - amends the Code regarding residency requirements for employees of the City and County

John Galloway, manager of training for the City of Indianapolis, Human Resources Division, stated that this proposal insures that seasonal or temporary employees hired for city or county positions be residents of Marion County on the first day of employment. He said that the current ordinance does not make a distinction between seasonal employees and permanent full-time employees with regard to residency requirements. The current ordinance requires that a new employee must move into the county within six months of accepting employment with the city or county. He said that currently, only the Mayor, or his designee, or an elected official, or his or her designee, has the authority to waive that residency requirement. He said that presently, lower level supervisors can hire people living outside of Marion County for temporary or seasonal positions, because most of these positions do not even last six months, and therefore, they are able to circumvent this residency requirement. He said that this proposal will close that loophole and allow the city and county to be more consistent in their hiring practices.

Councillor Mansfield said that she tried to close the waiver loophole back in 2004 and did not get much support at that time. She said that she believes this is a good first step, but that they need to also look at the waiver policy, as many people are getting waivers without the warranted specialized or unique skills. She said that Marion County has many different communities with different income levels and skill sets, as well as several universities, and she feels there are plenty of residents to meet these requirements and fill these positions. She said that she would like to see this entire residency ordinance revisited and believes those who receive tax dollars for working for the city should also live in the community.

Councillor Malone said that she supports the proposal, and there have been times when she has noticed employees driving vehicles with out-of-state license plates. She understands that some try to keep their plates because they do not want to pay a higher tax, but she believes a policy should also be in place to require them to have at least in-state, if not in-county, tags. Chairman Lutz said that he believes there is a state law that requires residents to change their plates within a certain number of days. Councillor Malone said that this might be the case, but it still seems to happen and is hard to enforce.

Councillor D. Mahern said that this is an issue very close to his heart because it affects people in his district. He said that his district has one of the highest unemployment rates in the county, and most of these residents would take seasonal or temporary work, but those jobs are going to out-of-county residents. He said that this proposal is a great first step, but he believes the residency requirement needs to be looked at overall, even with respect to contract employees.

Councillor Sanders asked if there has been any research on the number of employees impacted by this change. Mr. Galloway said that the numbers from April to August of 2009 showed 442 seasonal employees in city departments. Of those employees, 418 positions were within the Department of Parks and Recreation (DPR), and 55 of those employees lived outside of Marion County. He said that he does not have numbers for the County seasonal positions.

Chairman Lutz stated that not any elected official can issue a waiver, but only those elected agency heads who are responsible for hiring for an open position. Mr. Galloway said that this is correct.

Councillor Cockrum asked why the language "first day of employment" is needed. Mr. Galloway said that it was chosen to make it as clear as possible and to eliminate any loopholes.

Councillor Sanders agreed that this proposal is a good step in the right direction, but added that she also believes full-time positions need to be looked at as well. She said

that there is currently a full-time employee honing their skills in a Marion County position who will then be running for office in Hamilton County.

Councillor Gray asked if this change affects those departments with their own human resources departments, such as police, fire and the Prosecutor's Office. Mr. Galloway said that there are some exceptions, and he believes the police are one of them, but does not know about the others. Councillor Mansfield said that the Prosecutor's Office would be bound by this ordinance, but police and fire would be exempted due to state law. She added, however, that she believes law enforcement personnel should live in the community they serve, as well, and the city should make every effort to hire Marion County residents to fill these positions. Councillor D. Mahern added that only sworn police and fire positions are exempted, but civilian staff are covered by this residency requirement.

Councillor Malone moved, seconded by Councillor Sanders, to send Proposal No. 286, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 303, 2009 - amends the Code to add a new section regarding the internet posting of city and county contracts

Chairman Lutz said that he spoke with Councillor Ed Coleman, the sponsor of this proposal, earlier today and he was not able to attend tonight's meeting. Chairman Lutz said that he would like to see the proposal postponed for approximately 30 days to allow time to further review and discuss some of the language in the proposal.

Councillor Gray moved, seconded by Councillor Malone, to "Postpone" Proposal No. 303, 2009 until November 4, 2009. The motion carried by a vote of 8-0.

#### BUDGET REVIEW/RECOMMENDATIONS FOR CIVIL TAXING UNITS

Warren Park and Spring Hill

PROPOSAL NO. 369, 2009 - reviews the 2010 tax rates, tax levies and budgets of the Towns of Warren Park and Spring Hill and adopts recommendations with respect thereto

James Steele, Chief Financial Officer for the Council Office, provided handouts (Exhibits A, B, and C) summarizing the budget review, levy review and spreadsheet recommendations for the two remaining civil taxing units, the Towns of Warren Park and Spring Hill. He said that Spring Hill has no levy or tax rate and, therefore, no recommendations were made. With Warren Park, they changed the assessed valuation according to certified amounts and froze the levy, which caused their tax rate to go up because of the reduction in the assessed valuation. He said that based on these recommendations, Warren Park may want to consider changing their tax rate before passing their budget to protect that levy. He said that they have made no

recommendations to change budgets because they do not know what those budgets contain, and have only adjusted assessed valuations, levies or tax rates.

Councillor Gray asked where Warren Park and Spring Hill are located. Councillor Hunter stated that Warren Park is in his district between Washington Street and 10<sup>th</sup> Street just west of Shadeland Avenue. Mr. Steele said that Spring Hill is near Crow's Nest. Chairman Lutz said that Spring Hill is in northwest Indianapolis in Washington Township near Kessler and Cold Springs Road, just west of the Riviera Club and the White River.

Councillor Pfisterer asked if there has been any conversation between these entities and Mr. Steele or others in city administration. Mr. Steele said that there has not, since this is a non-binding review.

Councillor Plowman asked for the definition of an excluded city, and stated that he assumes these two towns are not excluded cities. Robert G. Elrod, General Counsel, stated that these two are classified as included towns. He said that when UniGov took place, excluded cities were classified as having a population of at least 5,000, and there were only four of them at that time, and can only be four, as they cannot incorporate or expand anything after that statute was adopted. He said that the remaining included towns were left with very few powers, other than local law enforcement and some jurisdiction over streets and sidewalks, with everything else falling under the authority of the consolidated city.

Councillor Gray moved, seconded by Councillor Malone, to send Proposal No. 369, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

There being no further business, and upon motion duly made, the meeting was adjourned at 5:55 p.m.

Respectfully Submitted,

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Robert Lutz, Chairman

RL/ag