

**** 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

January 26, 2009

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE – Councillor Smith**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. ORGANIZATION OF COUNCIL**
Appointment of Senior Staff – NaTrina Moffett, Assistant Clerk
- V. OFFICIAL COMMUNICATIONS**
- VI. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – January 12, 2009**
- VIII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 49, 2009 (Special Resolution)

INTRODUCED: 01/26/2009 BY: Councillor Pfisterer

REFERRED TO: Committee of the Whole

DIGEST: recognizes Nicole Law on receiving the 2008 Milken National Educator Award

PROPOSAL NO. 50, 2009 (Special Resolution)

INTRODUCED: 01/26/2009 BY: Councillor Lutz

REFERRED TO: Committee of the Whole

DIGEST: recognizes Joseph Stovall, III on achieving the rank of Eagle Scout

- VIII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND**

COUNCIL RESOLUTIONS

- PROPOSAL NO. 51, 2009 (Special Resolution)
INTRODUCED: 01/26/2009 BY: Councillor Lutz
REFERRED TO: Committee of the Whole
DIGEST: recognizes Alex Weaver on achieving the rank of Eagle Scout
- PROPOSAL NO. 52, 2009 (Special Resolution)
INTRODUCED: 01/26/2009 BY: Councillor Sanders
REFERRED TO: Committee of the Whole
DIGEST: observes and recognizes IUPI for its 40th year of unwavering commitment to the life of our city, region and state
- PROPOSAL NO. 581, 2008 (Council Resolution)
INTRODUCED: 12/08/2008 BY: Councillor Plowman
REFERRED TO: Metropolitan Development Committee
DIGEST: appoints Mindy Westrick to the Metropolitan Board of Zoning Appeals, Division III
COMMITTEE ACTION:
12/15/2008 Postpone until 1/21/2009 7-0
01/21/2009 Do Pass As Amended 8-0-1
- PROPOSAL NO. 583, 2008 (Council Resolution)
INTRODUCED: 12/08/2008 BY: Councillors Vaughn and Moriarty Adams
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints Lisa Tudor to the Animal Care and Control Board
COMMITTEE ACTION:
12/10/2008 Postpone until 1/14/2009 6-1
01/14/2009 Do Pass As Amended 8-0
- PROPOSAL NO. 3, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Plowman
REFERRED TO: Metropolitan Development Committee
DIGEST: reappoints Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division II
COMMITTEE ACTION:
01/21/2009 Do Pass 8-1
- PROPOSAL NO. 4, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: reappoints William Oliver to the Crime Prevention Advisory Board
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0
- PROPOSAL NO. 5, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: reappoints Tammie S. Jones to the Crime Prevention Advisory Board
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

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

PROPOSAL NO. 6, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: reappoints Avachino Reeves to the Crime Prevention Advisory Board

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 7, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: reappoints Jeffrey M. Wells to the Crime Prevention Advisory Board

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 8, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Lisa Borges to the Marion County Community Corrections Advisory Board

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 9, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Meshell Chapman to the Marion County Community Corrections Advisory Board

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 10, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Larna Spearman to the Citizens Police Complaint Board

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 11, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Margaret Payne to the Early Intervention Planning Council

COMMITTEE ACTION:

01/14/2009 Do Pass 8-0

PROPOSAL NO. 12, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: reappoints C L Day to the Juvenile Detention Center Advisory Board

COMMITTEE ACTION:

01/14/2009 Do Pass As Amended 8-0

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

PROPOSAL NO. 13, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints Cheryl Maman Rivera to the Juvenile Detention Center Advisory Board
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

PROPOSAL NO. 14, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: reappoints Janelle Canaday to the Animal Care and Control Board
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

PROPOSAL NO. 15, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints Jeffrey Oberlies to the Metropolitan Law Enforcement Agency Merit Board
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

PROPOSAL NO. 16, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillors Vaughn and Malone
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: reconfirms the Marion County Public Defender Board's nomination of Robert J. Hill as Marion County Chief Public Defender
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

PROPOSAL NO. 21, 2009 (Council Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Lutz
REFERRED TO: Rules and Public Policy Committee
DIGEST: appoints Robert Dapper to the Telecom and Video Services Board
COMMITTEE ACTION:
01/20/2009 Do Pass 7-0

IX. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 37, 2009 (Fiscal Ordinance)
INTRODUCED: 01/26/2009 BY: Councillor Scales
REFERRED TO: Administration and Finance Committee
DIGEST: transfers a full appropriation of \$7,618,533 into the 2009 Budget of the Marion County Assessor (County General and Property Reassessment Funds) from the eight former township assessor budgets, based on the outcome of a referendum conducted in 2008, to cover annual operating and program costs associated with the assessment of property across Marion County

PROPOSAL NO. 38, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillor Smith
REFERRED TO: Metropolitan Development Committee
DIGEST: appoints Jason Gaines to the Metropolitan Development Commission

IX. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 39, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillors Smith and Hunter
REFERRED TO: Metropolitan Development Committee
DIGEST: approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development

PROPOSAL NO. 40, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillors Day and Hunter
REFERRED TO: Parks and Recreation Committee
DIGEST: approves the Mayor's appointment of Stuart Lowry as the Director of the Department of Parks and Recreation

PROPOSAL NO. 41, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints Sidney Eisgruber to the Crime Prevention Advisory Board

PROPOSAL NO. 42, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillors Vaughn and Hunter
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: approves the Mayor's appointment of Scott C. Newman as the Director of the Department of Public Safety

PROPOSAL NO. 43, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillor Hunter
REFERRED TO: Public Works Committee
DIGEST: approves the Mayor's appointment of David Sherman as the Director of the Department of Public Works

PROPOSAL NO. 44, 2009 (General Ordinance)
INTRODUCED: 01/26/2009 BY: Councillor Minton McNeill
REFERRED TO: Public Works Committee
DIGEST: authorizes a change in parking restrictions and meters on segments of Senate Avenue (District 15)

PROPOSAL NO. 45, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillors Cardwell and Hunter
REFERRED TO: Rules and Public Policy Committee
DIGEST: approves the Mayor's appointment of Nicholas Weber as Deputy Mayor

PROPOSAL NO. 46, 2009 (Council Resolution)
INTRODUCED: 01/26/2009 BY: Councillors Speedy and Hunter
REFERRED TO: Rules and Public Policy Committee
DIGEST: approves the Mayor's appointment of Olgen Williams as the Deputy Mayor for Neighborhoods

IX. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 47, 2009 (Special Ordinance)

INTRODUCED: 01/26/2009 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: a final ordinance amending and restating Special Ordinance No. 7, 2008 for GMF-Mann Village, LLC in an amount not to exceed \$15,000,000 for the purpose of refunding the outstanding multifamily housing revenue bonds which were issued to finance the acquisition, renovation and equipping of the existing 336-unit multifamily housing residential rental project known as the Mann Village Apartments (District 22)

PROPOSAL NO. 48, 2009 (Special Ordinance)

INTRODUCED: 01/26/2009 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: a final ordinance for Crossing Partners, L.P. to restructure the existing financing of \$8,700,000 to finance the acquisition, renovation and equipping of the existing 252-unit multifamily housing residential rental project known as the Farmington Lakes Apartments (District 11)

PROPOSAL NO. 61, 2009 (Fiscal Ordinance)

INTRODUCED: 01/26/2009 BY: Councillor Vaughn

REFERRED TO: Community Affairs Committee

DIGEST: appropriates \$9,500,000 in the 2009 Budget of the Division of Family and Children (Family and Children Services Fund) to fund contractual services for child welfare services and programs incurred in 2008 but funded in 2009 in accordance with HEA 1001, 2008

X. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 53-60, 2008 (Rezoning Ordinances)

INTRODUCED: 01/26/2009 BY: Councillor Smith

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on January 15, 2009

XI. SPECIAL ORDERS - PUBLIC HEARING

XII. SPECIAL ORDERS - UNFINISHED BUSINESS

XIII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 540, 2008 (General Ordinance)

INTRODUCED: 11/17/2008 BY: Councillor Pfisterer

REFERRED TO: Metropolitan Development Committee

DIGEST: 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

COMMITTEE ACTION:

12/15/2008 Defeated 6-2

COUNCIL ACTION:

01/12/2009 Returned to Committee

COMMITTEE ACTION:

01/21/2009 Do Pass As Amended 8-0

XIII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 605, 2008 (General Ordinance)
INTRODUCED: 12/08/2008 BY: Councillors Speedy, Hunter and Plowman
REFERRED TO: Rules and Public Policy Committee
DIGEST: amends the Code regarding possession and discharge of weapons on property of the department of waterworks
COMMITTEE ACTION:
01/20/2009 Do Pass 5-2

PROPOSAL NO. 2, 2009 (General Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
REFERRED TO: Administration and Finance Committee
DIGEST: approves the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues to refund prior bonds and fund related restructuring costs
COMMITTEE ACTION:
01/13/2009 Do Pass 6-0

PROPOSAL NO. 18, 2009 (General Resolution)
INTRODUCED: 01/12/2009 BY: Councillor Vaughn
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
COMMITTEE ACTION:
01/14/2009 Do Pass 8-0

XIV. SPECIAL SERVICE DISTRICT COUNCILS

XV. NEW BUSINESS

XVI. 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 Councillor Sanders in memory of Jim McCarrel.

by Councillor Day in memory of Richard "Dick" Templin.

by Councillor Gray in memory of Carl Earnest Rush, John Dozier, Sr., George L. Walker, June Kendrick-Mason, Zeola B. adair and Athera Adams.

by Councillor Hunter in memory of Aaron Wildrick.

by Councillors Hunter, Moriarty Adams and Brown in memory of George "Fred" Thompson.

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.

XVII. PENDING PROPOSALS

PROPOSAL NO. 3, 2008 (General Ordinance)

INTRODUCED: 01/07/2008 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a)

COMMITTEE ACTION:

01/15/2008 Tabled 8-0

09/30/2008 Tabled 6-0

PROPOSAL NO. 124, 2008 (Council Resolution)

INTRODUCED: 03/24/2008 BY: Councillors Sanders and Brown

REFERRED TO: Metropolitan Development Committee

DIGEST: reappoints Aaron Haith to the Indianapolis Housing Agency Board

COMMITTEE ACTION:

03/31/2008 Do Pass 6-0

COUNCIL ACTION:

04/14/2008 Returned to Committee

COMMITTEE ACTION:

07/28/2008 Tabled 7-0

PROPOSAL NO. 142, 2008 (General Ordinance)

INTRODUCED: 03/24/2008 BY: Councillors Hunter, Plowman, Cardwell, McQuillen, Cain and Coleman

REFERRED TO: Rules and Public Policy Committee

DIGEST: provides for the registration with the city controller of lobbyists and lobbying activity with respect to the City and County

COMMITTEE ACTION:

04/22/2008 Postpone until 5/7/2008 7-0

05/07/2008 Postpone until 5/27/2008 8-0

05/27/2008 Tabled 6-0

09/30/2008 Postponed until 11/11/2008 7-0

11/11/2008 Postponed until 12/02/2008 8-0

XVII. PENDING PROPOSALS

PROPOSAL NO. 300, 2008 (General Ordinance)

INTRODUCED: 06/23/2008 BY: Councillors Brown and Gray

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: establishes a Secondary Employment Unit (SEU) in the office of the Public Safety Director to receive applications of sworn public safety officers to work or to engage in secondary employment and establishes a fee for the use of City-County assets used in the course of such secondary employment

COMMITTEE ACTION:

07/23/2008 Postpone 7-0

PROPOSAL NO. 338, 2008 (General Ordinance)

INTRODUCED: 07/21/2008 BY: Councillor Pfisterer

REFERRED TO: Public Works Committee

DIGEST: authorizes an 11,000 pound weight restriction on Tibbs Avenue between Lafayette Road and 30th Street (Districts 14 and 15)

COMMITTEE ACTION:

07/31/2008 Do Pass 7-0

COUNCIL ACTION:

08/11/2008 Returned to Committee

COMMITTEE ACTION:

08/28/2008 Tabled 7-0

PROPOSAL NO. 373, 2008 (General Ordinance)

INTRODUCED: 08/11/2008 BY: Councillors Cockrum and Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to allow management tools for dealing with nuisance urban birds while upholding the state's wildlife laws regarding the protection of birds

COMMITTEE ACTION:

08/27/2008 Postpone 7-0

PROPOSAL NO. 459, 2008 (General Ordinance)

INTRODUCED: 10/06/2008 BY: Councillors Vaughn and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to update provisions regarding the selection of members of the Indianapolis Metropolitan Police Department merit board, and to allow the county sheriff to serve as a member

COMMITTEE ACTION:

10/08/2008 Postpone indefinitely 5-0

PROPOSAL NO. 462, 2008 (General Ordinance)

INTRODUCED: 10/06/2008 BY: Councillors Evans, Pfisterer, Sanders and B. Mahern

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to provide for the effective conservation of water furnished by the department of waterworks

COMMITTEE ACTION:

10/14/2008 Postpone until 11/11/2008 7-0

11/11/2008 Amended and Tabled 8-0

01/20/2009 Tabled 7-0

XVII. PENDING PROPOSALS

PROPOSAL NO. 532, 2008 (Council Resolution)

INTRODUCED: 11/17/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: reappoints Bradley Battin to the Indianapolis City Market Corporation Board of Directors

COMMITTEE ACTION:

11/24/2008 Postpone until 12/17/2008 7-0

12/17/2008 Postpone until 1/27/2009 5-0

PROPOSAL NO. 544, 2008 (Council Resolution)

INTRODUCED: 11/17/2008 BY: Councillor Pfisterer

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Jason Dudich to the Early Intervention Planning Council

COMMITTEE ACTION:

11/19/2008 Postponed 6-0

PROPOSAL NO. 1, 2009 (Council Resolution)

INTRODUCED: 01/12/2009 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: reappoints Jeffrey Congdon to the Ft. Benjamin Harrison Reuse Authority

PROPOSAL NO. 19, 2009 (General Ordinance)

INTRODUCED: 01/12/2009 BY: Councillor Speedy

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on both sides of Dudley Avenue from Keystone Avenue to a point 925 feet east of Keystone Avenue (District 24)

PROPOSAL NO. 20, 2009 (General Ordinance)

INTRODUCED: 01/12/2009 BY: Councillor Cain

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on Gwin Way between Crook Drive and Village Way (District 5)

PROPOSAL NO. 36, 2009 (General Ordinance)

INTRODUCED: 01/12/2009 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to provide for delegation of authority to consent to extensions of local disaster emergency declarations

COMMITTEE ACTION:

01/20/2009 Postponed until 02/03/2009 7-0