

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

**REGULAR MEETINGS
MONDAY, JANUARY 26, 2009**

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, January 26, 2009, with President Cockrum presiding.

Councillor Smith introduced G.E. Studdard, pastor of the Harvest Prayer Center, who led the opening prayer. Councillor Smith 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:

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Oliver recognized Jamar Abdullallah, attorney Greg Coleman, Trina Abdullah and Diane Montgomery. Councillor Pfisterer recognized members fo the Speedway town council and redevelopment commision. Councillor Smith recognized Pastor Studdard and other members of the Harvest Prayer Center.

ORGANIZATION OF COUNCIL

Councillor Lutz reported that Assistant Clerk, NaTrina Moffett, appeared before the Rules and Public Policy Committee on January 20, 2009 for confirmation of her appointment to the Assistant Clerk position, which she has been performing since mid-2008. The committee unanimously recommends the appointment. Councillor Lutz moved, seconded by Councillor Pfisterer, to appoint NaTrina Moffett as Assistant Clerk. The motion carried by a unanimous voice vote.

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 January 12, 2009. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 49, 2009. The proposal, sponsored by Councillor Pfisterer, recognizes Nicole Law on receiving the 2008 Milken National Educator Award. Councillor Pfisterer read the proposal and presented a copy of the document and a Council pin to Ms. Law. Ms. Law thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor McHenry, for adoption. Proposal No. 49, 2009 was adopted by a unanimous voice vote.

Proposal No. 49, 2009 was retitled SPECIAL RESOLUTION NO. 1, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 2009

A SPECIAL RESOLUTION recognizing Nicole Law on receiving the 2008 Milken National Educator Award.

WHEREAS, Nicole Law received her Bachelor's in Elementary Education from Indiana University, her Master's in Elementary Administration and Supervision from Butler University, and her Ph.D. in Elementary Administration and Supervision from Indiana State University; and

WHEREAS, with 13 years of experience, six of which are in administration, Dr. Law is currently the principal of Garden City Elementary School in Wayne Township, where she has strong connections with teachers, parents, and the community as a mother, educator and church leader; and

WHEREAS, Dr. Law embraces the diversity of her school, looks beyond poverty to potential, and creates a school environment where all students can achieve at high levels. She individualized student support, resulting in high student ISTEP+ scores; and

WHEREAS, in addition, Dr. Law has been said to be a true curriculum leader, as she provides opportunities for each of her students to be successful and encourages every teacher to study best practices and utilize those ideas in specific learning situations; and

WHEREAS, Dr. Law also received recognition as an Outstanding Student Teacher in 1994 and Who's Who in Education in 2002; and

WHEREAS, the Milken National Educator Award, established by the Milken Family Foundation, is the largest teacher recognition program in the U.S., as it recognizes the importance of outstanding educators and encourages talented young people to enter teaching; and

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WHEREAS, the Awards are active in 48 states and the District of Columbia and provides public recognition, as well as an unrestricted financial award of \$25,000 -to be used in any way- to elementary and secondary school teachers, principals and specialists who are furthering excellence in education; and

WHEREAS, over \$60 million has been awarded to more than 2,300 educators since the first awards were presented in 1987. Each year, up to 80 exceptional educators receive the Award, alternating yearly between elementary and secondary educators; and

WHEREAS, in recognition of Dr. Law's outstanding efforts in education, she was awarded the 2008 Milken National Educator Award; 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 Nicole Law for her efforts in making a difference to ensure the success of all students.

SECTION 2. The Council congratulates Dr. Law on all her many accomplishments and for receiving such a prestigious award.

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.

Councillor Lutz asked for consent to vote on Proposal Nos. 50 and 51, 2009 together. He stated that both of these young men are members of the same Boy Scout Troop. Consent was given.

PROPOSAL NO. 50, 2009. The proposal, sponsored by Councillor Lutz, recognizes Joseph Stovall, III on achieving the rank of Eagle Scout. PROPOSAL NO. 51, 2009. The proposal, sponsored by Councillor Lutz, recognizes Alex Weaver on achieving the rank of Eagle Scout. Councillor Lutz read the proposals and presented Scouts Stovall and Weaver with copies of the documents and Council pins. Scouts Stovall and Weaver thanked the Council for the recognition and their families and leaders for their support. Scoutmaster Weaver and Committee Chair Stovall thanked the Council for the recognition and stated that four of their troop members achieved the rank of Eagle Scout this past year. Councillor Lutz moved, seconded by Councillor Cardwell, for adoption. Proposal Nos. 50 and 51, 2009 were adopted by a unanimous voice vote.

Proposal No. 50, 2009 was retitled SPECIAL RESOLUTION NO. 2, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 2009

A SPECIAL RESOLUTION recognizing Joseph Stovall, III on achieving the rank of Eagle Scout.

WHEREAS, Joe began his scouting career over nine years ago as a Tiger Cub with Pack 97, and is currently an active member of the troop that meets at Jameson Camp in Indianapolis, Indiana; and

WHEREAS, Joe has served his troop as Patrol Leader, Senior Patrol Leader, and is currently the troop's representative and Vice Chief of Administration for the Wundchenneu Chapter, Order of the Arrow, in addition to the Boy Scouting's National Honor Society; and

WHEREAS, on April 19, 2008, Joe earned the rank of Brotherhood in the Order of the Arrow, and completed his requirements for the rank of Firecrafter on July 4, 2008; and

WHEREAS, on November 1, 2008, Joe complete his Eagle Scout Service Project by building a 30-foot long, six-foot wide bridge at Jameson Camp; and

WHEREAS, at the age of 13, Joe earned the rank of Eagle Scout on December 17, 2008 by successfully completing his Eagle Scout Board of Review; and

WHEREAS, in addition to his scouting career, Joe was selected to the Jr. National Honor Society and currently serves as an Ambassador at the Lynhurst 7th and 8th Grade Center in Wayne Township; 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 Joseph Stovall, III for achieving the high rank of Eagle Scout.

SECTION 2. The Council congratulates Joe on this great accomplishment and wishes him success in all future endeavors.

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. 51, 2009 was retitled SPECIAL RESOLUTION NO. 3, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 2009

A SPECIAL RESOLUTION recognizing Alex Weaver on achieving the rank of Eagle Scout.

WHEREAS, Alex joined Scouting as a Tiger Cub in the first grade, during which time he earned his Tiger, Bobcat, Wolf and Bear badges; his religious emblem; the Scout conservation award; the Webelos award; and all 20 activity pins available, as well as being awarded the Arrow of Light on February 26, 2005; and

WHEREAS, as a Boy Scout, Alex passed his board of reviews and earned the following ranks: Scout Badge on March 4, 2005; Tenderfoot on June 27, 2005; 2nd Class on July 8, 2005; 1st Class on September 26, 2005; Star on January 23, 2006; and Life on August 7, 2006; and

WHEREAS, in addition, Alex completed his Eagle project on November 17, 2007 by leading the build of a staircase up the side of a hill at a camp for the Indiana Juvenile Diabetes Foundation known as "The Camp". The stairs were approximately 50 steps high changing in elevation of approximately 40 feet on a nature trail at The Camp; and

WHEREAS, Alex is a Brotherhood member in Order of the Arrow, Scouting's National Honor Society of Campers, where he earned Ordeal Member on May 12, 2006 and Brotherhood Member on May 14, 2007. Alex has additionally served on the Order of the Arrow's crossover teams for the past two years and was the Ordeal Master for the Fall Ordeal for Order of the Arrow candidates; and

WHEREAS, in addition, Alex is a Firecrafter member and earned his Firecrafter award on August 18, 2007. He has served his troop as a Patrol Leader, Assistant Senior Patrol Leader, Quartermaster, Troop Guide and Chaplain's Aide; and

WHEREAS, Alex earned the rank of Eagle Scout on December 17, 2008 as the third son of four in his family to make the rank; 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 Alex Weaver for achieving the high rank of Eagle Scout.

SECTION 2. The Council heartily congratulates Alex on this great accomplishment and wishes him future success in all endeavors.

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.

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PROPOSAL NO. 52, 2009. The proposal, sponsored by Councillor Sanders, observes and recognizes IUPUI for its 40th year of unwavering commitment to the life of our city, region and state. Councillor Sanders read the proposal and presented representatives with a copy of the document and a Council pin. Jennifer Bowen, IUPUI representative, thanked the Council for the recognition and invited Councillors to attend the series of events to celebrate the 40th anniversary. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 52, 2009 was adopted by a unanimous voice vote.

Proposal No. 52, 2009 was retitled SPECIAL RESOLUTION NO. 4, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 2009

A SPECIAL RESOLUTION observing and recognizing IUPUI for its 40th year of unwavering commitment to the life of our city, region and state.

WHEREAS, Indiana University-Purdue University Indianapolis (IUPUI) reaches an important milestone of the 40th year since the trustees of Indiana University and Purdue University agreed that public higher education needs of Indiana would be best served by merging the Indianapolis campuses of the two universities into one great university for Indianapolis; and

WHEREAS, in the ensuing 40 years, IUPUI has become Indiana's urban research and academic health sciences campus, and has rapidly grown in size and stature, offering a tremendous range of degree programs for more than 30,000 students; and

WHEREAS, a commitment to civic engagement and service has been a fundamental component of IUPUI's mission from the beginning and a distinctive aspect of the campus, and IUPUI has been recognized by national publications and academic organizations for the quality of its service learning programs, commitment to civic engagement, and impact on the local economy and quality of life in our community; and

WHEREAS, some 4,000 students contributed nearly 75,000 hours to 252 community partner organizations in the Indianapolis area through service learning classes offered by 123 faculty in 2007-08; and

WHEREAS, IUPUI has contributed greatly to the Indianapolis community through programs such as the Backpack Attack school supply drive, the Jam the Jaguars Bus food drive, the United Way campaign, and Race for the Cure; 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 congratulates IUPUI on its accomplishments to date and thanks the myriad of Campus representatives who have shown support to the Indianapolis community through a number of public-private partnerships over the last forty years.

SECTION 2. The Council looks forward to future partnerships with the Campus as it rededicates itself to our community and to continuing advancements in every area of its mission.

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. 581, 2008. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 581, 2008 on January 21, 2009. The proposal, sponsored by Councillor Plowman, appoints Mindy Westrick to the Metropolitan Board of Zoning Appeals, Division III. By an 8-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor McQuillen, for adoption. Proposal No. 581, 2008 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: *Cain, Gray, Minton-McNeill*

Proposal No. 581 2008 was retitled COUNCIL RESOLUTION NO. 17, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 2009

A COUNCIL RESOLUTION appointing Mindy Westrick to the Metropolitan Board of Zoning Appeals, Division III.

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 Metropolitan Board of Zoning Appeals, Division III, the Council appoints:

Mindy Westrick

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 583, 2008. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 583, 2008 on January 14, 2009. The proposal, sponsored by Councillors Vaughn, Moriarty Adams and Mansfield, appoints Lisa Tudor to the Animal Care and Control Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Vaughn moved, seconded by Councillor Mansfield, for adoption. Proposal No. 583, 2008, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: *Cain, Gray, Minton-McNeill*

Proposal No. 583, 2008, as amended, was retitled COUNCIL RESOLUTION NO. 18, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 2009

A COUNCIL RESOLUTION appointing Lisa Tudor to the Animal Care and 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 Animal Care and Control Board, the Council appoints:

Lisa Tudor

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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.

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PROPOSAL NO. 3, 2009. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 3, 2009 on January 21, 2009. The proposal, sponsored by Councillor Plowman, reappoints Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division II. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield asked what party Mr. Klopfenstein belongs to. She said that she believes a certain number must be from the majority party or a minority party. Councillor Coleman stated that Mr. Klopfenstein is a member of the Libertarian party. Councillor Sanders asked if he is filling a minority position or majority position.

Councillor Plowman asked for General Counsel Robert Elrod's ruling. Mr. Elrod said he will need a few minutes to look it up. President Cockrum asked for consent to move Proposal No. 3, 2009 until later in the evening to allow Mr. Elrod to make a ruling. Consent was given.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 4-16, 2009 on January 14, 2009. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 4, 2009. The proposal, sponsored by Councillor Vaughn, reappoints William Oliver to the Crime Prevention Advisory Board. PROPOSAL NO. 5, 2009. The proposal, sponsored by Councillors Vaughn and Malone, reappoints Tammie S. Jones to the Crime Prevention Advisory Board. PROPOSAL NO. 6, 2009. The proposal, sponsored by Councillors Vaughn and Malone, reappoints Avachino Reeves to the Crime Prevention Advisory Board. PROPOSAL NO. 7, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Jeffrey M. Wells to the Crime Prevention Advisory Board. PROPOSAL NO. 8, 2009. The proposal, sponsored by Councillors Vaughn and Malone, appoints Lisa Borges to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 9, 2009. The proposal, sponsored by Councillor Vaughn, appoints Meshell Chapman to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 10, 2009. The proposal, sponsored by Councillors Vaughn and Malone, appoints Larna Spearman to the Citizens Police Complaint Board. PROPOSAL NO. 11, 2009. The proposal, sponsored by Councillor Vaughn, appoints Margaret Payne to the Early Intervention Planning Council. PROPOSAL NO. 12, 2009. The proposal, sponsored by Councillors Vaughn and Malone, reappoints C L Day to the Juvenile Detention Center Advisory Board. PROPOSAL NO. 13, 2009. The proposal, sponsored by Councillor Vaughn, appoints Cheryl Maman Rivera to the Juvenile Detention Center Advisory Board. PROPOSAL NO. 14, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Janelle Canaday to the Animal Care and Control Board. PROPOSAL NO. 15, 2009. The proposal, sponsored by Councillor Vaughn, appoints Jeffrey Oberlies to the Metropolitan Law Enforcement Agency Merit Board. PROPOSAL NO. 16, 2009. The proposal, sponsored by Councillors Vaughn and Malone, reconfirms the Marion County Public Defender Board's nomination of Robert J. Hill as Marion County Chief Public Defender. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Vaughn moved, seconded by Councillor Pfisterer, for adoption. Proposal Nos. 4-16, 2009 were adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Cain, Gray, Minton-McNeill

Proposal No. 4, 2009 was retitled COUNCIL RESOLUTION NO. 19, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 2009

A COUNCIL RESOLUTION reappointing William Oliver to the Crime Prevention Advisory 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 Crime Prevention Advisory Board, the Council reappoints:

William Oliver

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 5, 2009 was retitled COUNCIL RESOLUTION NO. 20, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 2009

A COUNCIL RESOLUTION reappointing Tammie S. Jones to the Crime Prevention Advisory 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 Crime Prevention Advisory Board, the Council reappoints:

Tammie S. Jones

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 6, 2009 was retitled COUNCIL RESOLUTION NO. 21, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 2009

A COUNCIL RESOLUTION reappointing Avachino Reeves to the Crime Prevention Advisory 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 Crime Prevention Advisory Board, the Council reappoints:

Avachino Reeves

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 7, 2009 was retitled COUNCIL RESOLUTION NO. 22, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 2009

A COUNCIL RESOLUTION reappointing Jeffrey M. Wells to the Crime Prevention Advisory Board.

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

January 26, 2009

SECTION 1. As a member of the Crime Prevention Advisory Board, the Council reappoints:

Jeffrey M. Wells

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 8, 2009 was retitled COUNCIL RESOLUTION NO. 23, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 2009

A COUNCIL RESOLUTION appointing Lisa Borges to the Marion County Community Corrections Advisory 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 Marion County Community Corrections Advisory Board, the Council appoints:

Lisa Borges

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 9, 2009 was retitled COUNCIL RESOLUTION NO. 24, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 2009

A COUNCIL RESOLUTION appointing Meshell Chapman to the Marion County Community Corrections Advisory 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 Marion County Community Corrections Advisory Board, the Council appoints:

Meshell Chapman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 10, 2009 was retitled COUNCIL RESOLUTION NO. 25, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 2009

A COUNCIL RESOLUTION appointing Larna Spearman to the Citizens Police Complaint 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 Citizens Police Complaint Board, the Council appoints:

Larna Spearman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. 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. 11, 2009 was retitled COUNCIL RESOLUTION NO. 26, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 2009

A COUNCIL RESOLUTION appointing Margaret Payne to the Early Intervention Planning Council.

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 Early Intervention Planning Council, the Council appoints:

Margaret Payne

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 12, 2009 was retitled COUNCIL RESOLUTION NO. 27, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 2009

A COUNCIL RESOLUTION reappointing C L Day to the Juvenile Detention Center Advisory 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 Juvenile Detention Center Advisory Board, the Council reappoints:

C L Day

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. 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. 13, 2009 was retitled COUNCIL RESOLUTION NO. 28, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 2009

A COUNCIL RESOLUTION appointing Cheryl Maman Rivera to the Juvenile Detention Center Advisory 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 Juvenile Detention Center Advisory Board, the Council appoints:

Cheryl Maman Rivera

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. 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. 14, 2009 was retitled COUNCIL RESOLUTION NO. 29, 2009, and reads as follows:

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CITY-COUNTY COUNCIL RESOLUTION NO. 29, 2009

A COUNCIL RESOLUTION reappointing Janelle Canaday to the Animal Care and 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 Animal Care and Control Board, the Council reappoints:

Janelle Canaday

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. 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. 15, 2009 was retitled COUNCIL RESOLUTION NO. 30, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 2009

A COUNCIL RESOLUTION appointing Jeffrey Oberlies to the Metropolitan Law Enforcement Agency Merit 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 Metropolitan Law Enforcement Agency Merit Board, the Council appoints:

Jeffrey Oberlies

SECTION 2. The appointment made by this resolution is for a term ending December 31, 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.

Proposal No. 16, 2009 was retitled COUNCIL RESOLUTION NO. 31, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 2009

A COUNCIL RESOLUTION reconfirming the Marion County Public Defender's Board's nomination of Robert J. Hill as Marion County Chief Public Defender.

WHEREAS, pursuant to Sec. 286-4 of the "Revised Code of the Consolidated City and County," a Marion County Public Defender Board nomination of the Marion County Chief Public Defender is subject to confirmation by the City-County Council and subject to reconfirmation annually thereafter; and

WHEREAS, the Marion County Public Defender Board has submitted to this Council the name of Robert J. Hill to continue serving as Marion County Chief Public Defender; now, therefore:

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

SECTION 1. Robert J. Hill is hereby reconfirmed by the City-County Council to serve as Marion County Chief Public Defender.

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

PROPOSAL NO. 21, 2009. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 21, 2009 on January 20, 2009. The proposal, sponsored by Councillor Lutz,

appoints Robert Dapper to the Telecom and Video Services Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lutz moved, seconded by Councillor Plowman, for adoption. Proposal No. 21, 2009 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Cain, Gray, Minton-McNeill

Proposal No. 21, 2009 was retitled COUNCIL RESOLUTION NO. 32, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 2009

A COUNCIL RESOLUTION appointing Robert Dapper to the Telecom and Video Services 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 Telecom and Video Services Board, the Council appoints:

Robert Dapper

SECTION 2. The appointment made by this resolution is for a term ending December 31, 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.

PROPOSAL NO. 3, 2009. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 3, 2009 on January 21, 2009. The proposal, sponsored by Councillor Plowman, reappoints Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division II.

Mr. Elrod said that there are no partisan requirements for appointees to the zoning appeals board. The Code simply indicates that two must be appointed by the mayor, two by the council and one by the commission. Councillor Sanders asked if only the Commission is then required to have a certain partisan makeup, and not the individual zoning boards. Mr. Elrod said that this is correct.

Councillor Mansfield said that she appreciates those serving on the board, but Mr. Klopfenstein's record on voting shows that he is putting development in place for development's sake and is not supporting existing zoning ordinances. She said that one example of this situation concerns digital billboards, and she cannot support the appointment.

Councillor Coleman clarified that Libertarians do not vote in the primary elections, and therefore, Mr. Klopfenstein is acutally registered as a Republican.

Councillor Plowman said that there are a lot of guidelines for members of these boards to follow and training is required, and Mr. Klopfenstein has attended all of the training required. He added that Mr. Klopfenstein has attended all meetings but one, and substituted for other board members on other boards twice. He said that he supports the proposal.

Councillor Hunter said that these appointees represent the Councillors, who in turn represent the citizens, and it concerns him when such appointees ignore Councillors who wrote them letters.

January 26, 2009

Councillor Plowman moved, seconded by Councillor McQuillen, for adoption. Proposal No. 3, 2009 was adopted on the following roll call vote; viz:

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

Proposal No. 3, 2009 was retitled COUNCIL RESOLUTION NO. 33, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 2009

A COUNCIL RESOLUTION reappointing Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division II.

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 Metropolitan Board of Zoning Appeals, Division II, the Council reappoints:

Bradley A. Klopfenstein.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 37, 2009. Introduced by Councillor Scales. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which 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"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 38, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jason Gaines to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 39, 2009. Introduced by Councillors Smith and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development "; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 40, 2009. Introduced by Councillors Day and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Stuart Lowry as the Director of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 41, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Sidney Eisgruber to the Crime

Prevention Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 42, 2009. Introduced by Councillors Vaughn and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Scott C. Newman as the Director of the Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 43, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of David Sherman as the Director of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 44, 2009. Introduced by Councillor Minton McNeill. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions and meters on segments of Senate Avenue (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 45, 2009. Introduced by Councillors Cardwell and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Nicholas Weber as Deputy Mayor"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 46, 2009. Introduced by Councillors Speedy and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Olgen Williams as the Deputy Mayor for Neighborhoods"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 47, 2009. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which 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)"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 48, 2009. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which 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)"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 61, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which 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"; and the President referred it to the Community Affairs Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 53-60, 2009. Introduced by Councillor Plowman. Proposal Nos. 53-60, 2009 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 15, 2009. 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. 15-22, 2009, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 15, 2009.

2007-ZON-140

5501 EAST 38th STREET AND 3759 NORTH WHITTIER PLACE (*Approximate Address*), INDIANAPOLIS, WARREN TOWNSHIP
COUNCILMANIC DISTRICT # 17

ROBERT J. WOODARD requests REZONING of 0.2 acre, from the D-4 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 16, 2009.

2008-ZON-088

5324 ENGLISH AVENUE (*Approximate Address*), INDIANAPOLIS, WARREN TOWNSHIP
COUNCILMANIC DISTRICT # 21

MICHAEL LEVIN requests REZONING of 0.24 acre, from the D-5 and C-3 Districts, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 17, 2009.

2008-ZON-094

7550, 7590, 7600 AND 7620 ROCKVILLE ROAD (*Approximate Address*), INDIANAPOLIS, WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 13

G & D REALTY, LLC, AND JRJ REALTY, LLC, by Eugene Valanzano, requests REZONING of 35.51 acres, from the D-A District, to the C-S classification to provide for:

- a) the following uses within 350 of the northern right-of-way line of Rockville Road: All C-1 uses, and specified automotive related uses, business and personal services, eating places, hotels, personal service establishments, rental or leasing uses, repair services, retail type uses and schools; and
- b) the following uses beyond 250 north of the northern right-of-way line of Rockville Road: specified office uses, I-1 and I-2 industrial uses.

REZONING ORDINANCE NO. 18, 2009.

2008-ZON-103

6805 SUMMIT HILL WAY (*Approximate Address*), INDIANAPOLIS, LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT # 5

KOVACS ENTERPRISES, LLC by Stephen D. Mears, requests REZONING of 1.34 acres, from the C-4 and C-6 Districts, to the C-4 classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 19, 2009.

2008-ZON-105B

933 EAST MARKET STREET AND 1038 EAST WASHINGTON STREET, INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICTS # 15 AND 16

ANGIE'S LIST, by Paul Pogue requests REZONING of 1.06 acre, from the I-3-U District, to the C-3C classification to provide for corridor commercial uses.

REZONING ORDINANCE NO. 20, 2009.

2008-ZON-108

4002 NORTH FRANKLIN ROAD (*Approximate Address*), INDIANAPOLIS, LAWRENCE TOWNSHIP

COUNCILMANIC DISTRICT # 11

MONUMENT LIGHTHOUSE FACILITY, LLC, by Stephen D. Mears, requests REZONING of 1.69 acres, from the I-2-S District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 21, 2009.

2008-ZON-829

2106 NATIONAL AVENUE (*Approximate Address*), INDIANAPOLIS, PERRY TOWNSHIP
COUNCILMANIC DISTRICT # 20

KEYSTONE INDOOR GOLF, INC., by David Kingen requests REZONING of 1.77 acres, from the C-S District, to the C-S classification to provide for indoor recreation activities including: golf, softball, baseball (fielding and batting practice only), football (kicking only), lacrosse (practice drills), dodgeball and kickball games (no spectators), soccer (practice drills), rugby (practice drills), band practice (noon to 6 pm only), and electrical model airplane flying.

REZONING ORDINANCE NO. 22, 2009.

2008-ZON-853

6640 HERON NECK DRIVE (*Approximate Address*), INDIANAPOLIS, PERRY TOWNSHIP
COUNCILMANIC DISTRICT # 22

MMC REALTY, LLC, by Thomas Michael Quinn, requests REZONING of 4.76 acres, from the C-S District, to the I-2-S classification to provide for light industrial uses.

Councillor Sanders said that she did not call Proposal No. 21, 2009 out for public hearing, but she is concerned about individuals who receive variances even when they do not comply with previous commitments. She urged the department to do their due diligence and make sure there are consequences for those who do not abide by commitments.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 540, 2008. Councillor Smith reported that the Metropolitan Development Committee heard Proposal No. 540, 2008 on December 15, 2008. The proposal was returned to Committee by the full Council on January 12, 2009, and heard again in Committee on January 21, 2009. The proposal, sponsored by Councillor Pfisterer, 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. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Smith moved, seconded by Councillor McQuillen, for adoption. Proposal No. 540, 2008, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Cain, Gray, Minton-McNeill

Proposal No. 540, 2008 was retitled GENERAL ORDINANCE NO. 13, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 2009

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 2008-AO-02

A GENERAL ORDINANCE to amend portions of the "Revised Code of the Consolidated City and County" regarding the Special Districts Zoning Ordinance and affixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of

January 26, 2009

Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and

WHEREAS, the Speedway Redevelopment Commission (SRC) was authorized by Indiana State Statute and established on July 1, 2005 to restore economic growth to the property tax base; to eliminate urban blight; to encourage reinvestment and property improvement; to enable the capture of new jobs, as well as retain existing jobs by being economically competitive in the central Indiana marketplace; to encourage and stimulate economic development; to stabilize and protect property values including residential, commercial and industrial property; to generate redevelopment in a manner that overcomes, to the extent possible, the limitations of old designs, layouts and development standards in order to define the Civil Town of Speedway as a 21st century community, which simultaneously recognizes its heritage and embraces its future; and

WHEREAS, the SRC adopted the "Redevelopment Plan and Strategy: Main Street & Motorsports Campus Redevelopment Area" in September 2005 that created the boundaries and focus for Redevelopment Area No. 1; and

WHEREAS, the SRC began in May of 2006 an extensive public planning process to develop an overall development master plan for Redevelopment Area No. 1, which included the establishment of an 18-member Speed Zone Master Plan Steering Committee consisting of residents, business owners, city officials, and community leaders; public open house attended by over 200 people; Consumer Preference Survey mailed to over 4500 households in Speedway yielding a 12% return rate; numerous stakeholder meetings and over 50 individual interviews; a Speed Zone Design Workshop attended by over 200 participants; and Visual Preference Survey conducted at two neighborhood workshops; and

WHEREAS, the resulting strategy, The Speed Zone Master Plan proposes two distinct redevelopment patterns; one for Speedway's Main Street which facilitates street-level activities focusing on restaurants, personal services, and shopping while the upper stories provide a diverse range of office space and urban-style housing developed with a relatively continuous street wall creating a pedestrian-oriented sense of enclosure and place with particular attention given to sidewalks, pedestrian pathways, parking areas, streetscape, landscape continuity, and lighting; and one for the balance of the area which facilitates significant employment generators comprised of a diverse mix of light and moderate industrial uses, some automobile-related commercial activities, and commercial entertainment that are developed and function entirely enclosed, provide sufficient space for future manufacturing and wholesaling or related needs while preserving the aesthetics of the community and utilizing sustainable development techniques; and

WHEREAS, the Speed Zone Master Plan recommends the creation of two zoning classifications that ensure that all development of land in the Speedway Redevelopment Area 1 takes place in accordance with the principles set forth in the Comprehensive Plan and the Speed Zone Master Plan; and

WHEREAS, the Speed Zone Master Plan was approved by the SRC in June 2007, and subsequently the Metropolitan Development Commission on October 15, 2008, approved Resolution 2008-CPS-R-09 that adopted the Speed Zone Master Plan as an amendment to the Comprehensive Plan of Marion County, Indiana; now, therefore:

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

SECTION 1. Section 735-700 of the "Revised Code of the Consolidated City and County," regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the addition of the language which is underscored, to read as follows:

DIVISION 1. GENERALLY

Sec. 735-700. Establishment of official zoning map; establishment of special zoning districts.

(b) *Establishment of special zoning districts.* The following primary special zoning districts for Indianapolis, Marion County are hereby established, and land within Indianapolis is hereby classified, divided and zoned into such districts as designated on the official zoning map:

<i>Park Districts</i>	
PK-1	Park District One
PK-2	Park District Two
<i>Hospital Districts</i>	
HD-1	Hospital District One
HD-2	Hospital District Two
<i>University Quarter Districts</i>	
UQ-1	University Quarter District One
UQ-2(B)	University Quarter District Two (Butler University)
<i>Speedway Districts</i>	
<u>SZ-1</u>	<u>Speedway Main Street District</u>
<u>SZ-2</u>	<u>Speedway Industrial District</u>

SECTION 2. Section 735-701 of the “Revised Code of the Consolidated City and County,” regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the deletion of the language that is stricken-through and by the addition of the language which is underscored, to read as follows:

Sec. 735-701. General regulations.

- (c) *Development plans required.* A site and development plan shall be required in the PK-1, PK-2, HD-1, HD-2, UQ-1, UQ-2(B), SZ-1, SZ-2 and all SU districts. Development requirements ~~which that~~ must be met for the approval of a site and development plan are specified in each of the respective districts.

SECTION 3. Chapter 735, Article VII of the “Revised Code of the Consolidated City and County,” regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the addition of the following language, to read as follows:

DIVISION 6. SPEEDWAY DISTRICT REGULATIONS

Sec. 735-760 Speedway District Regulations.

- (a) Statement of Purpose. The purpose and intent of these districts is to ensure that all development of land in the Speedway Redevelopment Area 1 takes place in accordance with the principles set forth in the Comprehensive Plan and the Speed Zone Master Plan. The Commission shall prescribe in its rules of procedure the requirements for an approval petition for site and development plan consideration which shall be filed. Where the Special Districts Zoning Ordinance directly conflicts with other portions of the Zoning Ordinance, this code shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan.

- (1) The Speedway Main Street District (SZ-1) is intended to serve as the primary identity for the Town of Speedway.

The SZ-1 District is designed to permit and facilitate street-level activities focusing on restaurants, personal services, and shopping while the upper stories provide a diverse range of office space and urban-style housing. Due to the intensity, traffic generation, nature of operation, or aesthetics of these uses, industrial uses, automobile service facilities, outside storage, and other similar uses are prohibited.

The SZ-1 District is designed to permit and facilitate a healthy social and economic environment for residents and visitors of all ages that is a pedestrian-oriented place with active street life, healthy retail, as well as common space for community gatherings and racing-

season activities. All buildings within the SZ-1 District shall contribute to creating a relatively continuous street wall and create a pedestrian oriented sense of enclosure and place. Building heights and signs may vary from one property to the next; however a general consistency shall be retained in order to create a continuous sense of character within the district. Sidewalks, pedestrian pathways, and parking areas shall give particular attention to streetscape, landscape continuity, and lighting.

- (2) Speedway Industrial District (SZ-2) is designed to permit and facilitate uses that are significant employment generators.

The SZ-2 District is designed to permit and facilitate a diverse mix of light and moderate industrial uses, some automobile-related commercial activities, and commercial entertainment. For illustrative purposes, such uses include wholesale activities, warehouses, manufacturing, compounding, processing, packaging, assembly, or treatment of finished or semi-finished products from previously-prepared material, as well as racing, sports and entertainment operations. Due to the inherent risk, intensity, traffic generation, nature of operation or aesthetics of these uses, residential uses, and commercial retail and service uses are prohibited.

The SZ-2 District is designed to permit and facilitate development that is entirely enclosed; strictly adheres to the performance standards; provides sufficient space for current or future needs for manufacturing and wholesaling or related uses while preserving the aesthetics of the community; and utilizes sustainable development techniques to both reduce the environmental impact and increase the intensity of development. In addition to the economic benefits of green roof construction and the utilization of permeable pavement materials, structures utilizing these design techniques realize ecological benefits by reducing the impervious surface area on a site. The SZ-2 District development standards encourage these and other sustainable construction and development practices.

(b) Permitted Uses in the Speedway Districts.

- (1) Permitted Speedway Main Street District SZ-1 uses. All uses permitted within the SZ-1 District shall be subject to the Commission's approval, and as indicated on the required site and development plan filed with, and approved by, the Commission as specified in this Article. The following uses are permitted, as approved by the Commission:

- a. Office uses, retail uses, personal service establishments, restaurants, drinking places, theaters, museums, educational facilities, and indoor amusement/recreation establishments.
- b. Residential uses, location above the first floor and possessing a separate entrance is preferred, unless otherwise permitted by the Commission.
- c. Any other similar uses appropriately planned, designed and limited to foster a pedestrian-oriented and diverse environment compatible with the traditional development pattern of downtown Speedway.

- (2) Prohibited Speedway Main Street District SZ-1 uses. The following uses shall be prohibited from the SZ-1 district:

- a. Adult entertainment business (as defined in section 732-217).
- b. Automotive services, including but not limited to: storage, outdoor sales, leasing/rental, repair, service, body work, car wash facility, detailing, supply store, rust proofing, tire alignment, tire dealers, tire repair, oil change, lubrication shop.
- ~~e.~~ ~~Firearms sales or rental.~~
- ~~d.~~ Fireworks sales.
- ~~e.~~ Fueling station, such as gasoline or ethanol.
- ~~f.~~ Heavy industrial uses listed in Section 733-201(b), (c) and (d).
- ~~f.~~ Sanitary Landfill.
- ~~g.~~ Light industrial uses listed in Section 733-201(a) except those uses that include retail, entertainment or office activities that are located in the building in proximity and along the frontage of the lot.
- ~~h.~~ Outside storage or operations and uses requiring outside storage or display of materials, goods, or equipment or outside operations.

- ji. Self-storage or mini-warehouse facility.
 - kj. Other uses similar and comparable in character to the above prohibited uses.
- (3) Permitted Speedway Industrial District SZ-2 uses. All uses permitted within the SZ-2 District shall be subject to the Commission's approval, and as indicated on the required site and development plan filed with, and approved by, the Commission as specified in this Article. The following uses are permitted, as approved by the Commission:
- a. For lots with at least 200 feet of frontage along the realigned 16th Street right-of-way, all SZ-1 uses, except residential uses, developed in accordance with the SZ-1 development standards;
 - b. Commercial office centers and associated retail uses;
 - c. Light and Moderate industrial uses listed in Section 733-201(a) and (b);
 - d. Fueling stations, automotive services; and
 - e. Other uses similar and comparable in character to the above permitted uses and as described in Section 733-201.
- (4) Prohibited Speedway Industrial District SZ-2 uses. The following uses shall be prohibited in the SZ-2 district:
- a. Adult entertainment business (as defined in Section 732-217).
 - ~~b. Firearms sales or rental.~~
 - ~~eb.~~ Fireworks sales.
 - ~~ec.~~ Medium and Heavy industrial uses listed in Section 733-201(c) and (d).
 - ~~ed.~~ Residential uses.
 - ~~ef.~~ Sanitary Landfill.
 - ~~ef.~~ Self-storage or mini-warehouse facility.
 - ~~hg.~~ Other uses similar and comparable in character to the above prohibited uses.
- (c) Site and development plan consideration. No use, building or structure shall hereafter be established, constructed, altered, converted, expanded, enlarged, modified, reconstructed, relocated, or used on any land in the SZ-1 or SZ-2 District for any purpose other than lawfully existed on or prior to adoption date of this ordinance until a site and development plan for such land shall have been filed with and approved by the Commission. The Commission shall prescribe in its rules of procedure the requirements for an approval petition for site and development plan consideration which shall be filed. In addition, the rules of procedure set forth the fees, hearing process, notice, and amendment procedures relative to any petition. The Commission may consider and act upon any proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.
- (1) Design Consideration. Evaluation of a project shall be based on the quality of its design and relationship to surroundings. Factors to be considered include, but are not limited to:
- a. Architectural Building Design. In reviewing the architectural design of buildings proposed to be built in the SZ-1 or SZ-2 districts, architectural style is not restricted. Aesthetics of the proposed building or other proposed structures, including:
 - 1. Color and materials.
 - 2. Scale and proportion;
 - 3. Suitability of building materials;
 - 4. Design in relation to surrounding buildings;
 - 5. Design in relation to proposed landscaping; and
 - 6. Use and materials for fencing.
 - b. Buildings shall be harmonious with permanent, neighboring development.
 - c. Materials shall have architectural character and shall be selected for harmony with adjacent buildings.

- d. Materials shall be suitable to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
 - e. Materials shall be of durable quality.
 - f. Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.
 - g. Colors shall be harmonious with existing development and only the use of complementing accents shall be permitted.
 - h. Exterior lighting shall be part of the architectural design. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
 - i. Monotony of design in single or multiple building projects shall be avoided. Variation of detail and form shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
 - j. Signs shall be designed as an integral part of the architectural and landscaping plans. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and landscaping on the site. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.
- (2) Plan documentation and supporting information. The site and development plan shall be dimensioned and include layout and elevation plans for all proposed buildings and structures, and shall indicate:
- a. Proposed uses.
 - b. Any existing uses, buildings and structures; including any proposed to be demolished.
 - c. Zoning and existing land uses of adjacent properties.
 - d. Proposed buildings and structures.
 - e. Elevations of all facades of each building.
 - f. Proposed fencing.
 - g. Proposed location of trash receptacles or storage.
 - h. Off-street parking layouts.
 - i. Circulation plan for vehicles and pedestrians.
 - j. Vehicular entrances and exits and turnoff lanes.
 - k. Setbacks.
 - l. Landscaping, screens, walls, fences.
 - m. Lighting plan.
 - n. Signs, including location, size, design, and illumination.
 - o. Sewage disposal facilities.
 - p. Storm drainage facilities.
 - q. Other utilities if aboveground facilities are needed.
 - r. Sample color and materials palette for all proposed structures, including fences.
 - s. Information related to the development's environmental impact (such as application for LEED certification, paving permeability, and other sustainable techniques).
- (3) Site and development plan requirements. Land in the SZ-1 and SZ-2 Districts is subject to the following site and development requirements. In review of the proposed site and development plan, the Commission shall assess whether the site and development plan, proposed use, buildings and structures shall:

- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana;
- b. Be in conformity with the Speed Zone Master Plan of the Town of Speedway, Indiana;
- c. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the district and with adjacent uses;
- d. Utilize sustainable development techniques to both reduce the environmental impact and increase the intensity of development;
- e. Provide sufficient and adequate multi-modal access, parking and loading areas per the standards set forth in this Division;
- f. Integrate active and passive traffic control and multi-modal transportation network with existing and planned public streets and interior roads;
- g. Provide adequately for sanitation, drainage and public utilities;
- h. Provide for pedestrian connectivity and public transit accessibility; and
- i. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed - logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana and the Speed Zone Master Plan of the Town of Speedway, Indiana.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.

- (4) Findings. The Commission shall make written findings concerning any decision to approve or disapprove a site and development plan filed under this section. The written findings shall be based upon the requirements of subsection (c)(3) above (Site and development plan requirements). The president or secretary of the Commission shall be responsible for signing the written findings.
- (d) Public notice. Public notice of the hearing regarding such petition shall be required to registered neighborhood organizations whose boundaries include all or part of the subject request, and otherwise in accordance with the Commission's rules of procedure.
- (e) Improvement Location Permit requirements. No building or structure shall be established, constructed, altered, converted, expanded, enlarged, modified, reconstructed, relocated, or used in the SZ-1 or SZ-2 District without an Improvement Location Permit. Such permit shall not be issued until the site and development plan, including the proposed use or uses and plans for such building or structure, shall have been approved by the Commission. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.
- (f) Speedway District development standards. Development shall be in accordance with the following development standards for the SZ-1 and SZ-2 Districts. The illustrations used in this section are only conceptual representations of the desired type of development and are not to be construed as a development standard.
 - (1) Speedway Main Street District SZ-1 development standards.
 - a. Lot area. There shall be no minimum or maximum lot area.
 - b. Lot width. Lot width shall be measured along the frontage of the lot. Minimum lot width shall be 20 feet. There shall be no maximum lot width.
 - c. Front building setback and yard.
 1. No part of any building shall be located closer to the right-of-way line of any street than zero feet. The maximum distance between any right-of-way line of any street and any building located on the lot shall be 5 feet. A front yard of no less than zero feet in depth and no more than 5 feet in depth, measured from and parallel to the lot line, shall be provided along the entire lot width.

2. The composition of the surface area of the front yard shall be developed and maintained in a pedestrian-friendly manner.
- d. Side building setback and yard. A side setback and side yard of no less than zero feet in depth, measured from and parallel to all side lot lines, shall be provided along all side lot lines.
- e. Rear building setback and yard. A rear setback and rear yard of no less than three feet in depth, measured from and parallel to all side lot lines, shall be provided along all rear lot lines unless subject to the following transitional yard requirements:
 1. Where a rear lot line abuts a lot line in an adjacent protected district, a required rear transitional yard and building setback of not less than twenty (20) feet in width, measured from and parallel to the lot line, shall be provided along such rear lot line.
 2. Exceptions to the above subsection 735-760 (f)(1)e. 1.:
 - i. Where a dedicated alley separates such rear lot line from the protected district, such required rear transitional yard and building setback shall be not less than ten (10) feet in width.
 - ii. Where the ground area required for required transitional yards exceeds twenty (20) percent of the lot area, the width of the rear transitional yards may be reduced to ten (10) feet and shall provide planting areas, being six-foot in width minimally, and provide a six-foot tall opaque wooden fence or solid wall.
 - iii. Transitional yard requirements shall not apply in those instances where commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon such property or abutting frontage property, although zoned as a protected district.
- f. Building height.
 1. The minimum building height shall be 24 feet or two stories, whichever is less.
 2. The maximum building height shall be 52 feet or four stories, whichever is greater.
 3. Maximum building height exceptions.
 - i. HVAC, mechanical equipment, stairwell enclosure, elevator equipment, and any required screening may extend above the maximum building height, but shall not be greater than 10 feet above the maximum building height. Said structures shall be completely screened from view at any right-of-way and from any protected district.
 - ii. Where a rear lot line abuts a lot line in an adjacent protected district, the building height of any structure within thirty (30) feet of the rear lot line shall not be greater than 35 feet or 3 stories, whichever is the lesser.
- g. Building use and form.
 1. The total floor area of any dwelling unit shall not be less than 600 square feet.
 2. Drive-through service windows shall be permitted only if all of the following requirements are satisfied:
 - i. The lot on which the drive-through service window is located is a corner lot;
 - ii. The location of the building with the drive-through service window is at the corner with the intersecting public rights-of-ways and behind the front building line;
 - iii. Vehicular access from Main Street is prohibited; and,
 - iv. Adequate stacking for the drive-through service window is provided.
 3. Roofs. Roof line, form and cornice shall be articulated with a treatment in scale with the building and shall be designed integral with the building. Mechanical equipment shall be placed to complement the building or screened with materials consistent with the building's design. Roofs shall not be pitched unless a parapet is provided

that completely and effectively screens the pitch from view from any right-of-way. Alternative roof design may be approved at the discretion of the Commission.

4. Transparency of the building facade.
 - i. Minimum transparency of the ground floor shall be 40%.
 - ii. Maximum transparency of the ground floor shall be 85%.
 - iii. Minimum transparency of the floors above the ground floor shall be 25%.
 - iv. Maximum transparency of the floors above the ground floor shall be 60%.
5. Exterior Building Materials. The following standards apply to all buildings except public parking structures.
 - i. Walls on all sides of any building, exclusive of windows and doors, shall be a minimum 80% brick, stone, pre-cast concrete panels, tile, decorative block, wood or hardiplank lap siding, or ceramic. Materials shall be durable enough to last 50 years with low maintenance. Other materials may be approved if determined by the Commission that the materials meet the intent and purpose of the district.
 - ii. All sides of the building shall be of a similar design and complement each other.
 - iii. Trim and ornamentation shall be provided on all sides of any building and shall be metal, concrete, brick, stone, wood, or decorative concrete block.
6. Architectural features and façade requirements.
 - i. Base panel shall be provided. Base panel shall be between 18 and 30 inches tall.
 - ii. Sign band. A sign band, being between 12 and 24 inches tall, is recommended to accommodate wall signage.
 - iii. Walls without windows shall not be permitted along or when facing a public right-of-way, public parking area, or park.
 - iv. Articulation for walls located within 10 feet of a public right-of-way shall be, at a minimum, every 10 feet and shall wrap around the sides of the building, at a minimum, 3 feet.
 - v. Proportion. If the building facades along a right-of-way comprise at least 50% of the frontage of a block, new construction or façade rehabilitation shall create or maintain horizontal and vertical spacing of façade elements of surrounding buildings such as windows, entries and rooflines as well as the rhythm of the bays, windows, and openings of the facades.
 - vi. Windows.
 1. Ground floor window openings. The height of ground floor window openings shall be equal to or greater than the width of the opening.
 2. Upper floor window openings shall be rectangular. The vertical dimension of a window size shall be, at a minimum, two times the horizontal dimension.
- h. Parking. Off-street parking within 50 feet of the right-of-way of Main Street or West 16th Street shall be prohibited. Off-street parking is discouraged; any off-street parking shall be designed to be unobtrusive to the pedestrian environment. Provisions for bicycle, scooter and motorcycle parking shall be provided in proximity to the primary entrance.
- i. Signs. Except as modified by this division, the regulations of the following Sections shall apply: Sections 734-100 through 734-204, Sections 734-207, 734-300 and 734-303, Sections 734-400 through 734-701.
 1. Permitted sign types and size. Permitted and prohibited sign types are identified in Diagram B 'Sign Types in Speedway Zoning Districts'. The following sign types may be permitted:

- i. Canopy and awning signs. The recommended maximum of sign surface area of a canopy or awning sign shall be 20 square feet with a maximum vertical dimension of two feet.
 - ii. A-frame sign. The maximum of sign surface area per side of an A-frame sign shall be 12 square feet with a maximum horizontal dimension of three feet. A-frame signs shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. EST. A-frame signs shall be designed and placed in a secure manner in all weather conditions and shall not obstruct accessibility or visibility of pedestrians or vehicular movement.
 - iii. Projecting sign. The recommended maximum of sign surface area of a projecting sign is 8 square feet. In addition, it is recommended that horizontally oriented signs have a maximum vertical dimension of two feet and vertically oriented signs have a maximum horizontal dimension of two feet.
 - iv. Suspended sign. Suspended signs shall maintain a clearance of 8.5 feet.
 - v. Wall sign. The recommended placement of a wall sign is to be contained entirely within the sign band.
 - vi. Window sign. Window signs shall be permitted on the ground floor only and the maximum sign surface area shall not exceed 50% of the sign surface area of all ground-floor windows on that facade.
 - vii. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant. Said sign shall be a maximum of 6 square feet in sign surface area with a maximum height of 4 feet. Such outdoor signs may remain in place from 7:00 a.m. to 10:00 p.m. EST.
 - viii. Exempt signs as listed and authorized in Chapter 734-201
2. Prohibited sign types. Off-premises (outdoor advertising) signs, ground signs, pole signs, pylon signs shall be prohibited. Portable signs, except for A-frame signs specifically described above, shall be prohibited.
3. Sign types eligible for Special Consideration. Animated signs, roof signs, inflatable signs, marquee signs, message centers, and electronic variable message signs may be permitted after special consideration and the adoption of specific findings by the Commission that unique circumstances exist and that the specific design characteristics are appropriate for the district. Findings of fact shall be adopted.
4. Number of signs.
 - i. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant. Two one-sided signs shall be permitted if the signs face different directions; or one two-sided sign shall be permitted.
 - ii. Wall Signs. One wall sign shall be permitted for each ground-floor entrance to the building.
 - iii. One of the following sign types shall be permitted for each ground-floor entrance to the building: One awning sign or one projecting sign or one canopy sign.
 - iv. Suspended sign. If attached to an awning sign or canopy sign, one suspended sign shall be permitted for each ground-floor entrance to the building.
 - v. A-frame sign. One A-frame sign shall be permitted for each ground-floor entrance to the building.
 - vi. Window sign. Two window signs shall be permitted for each ground-floor entrance to the building.
5. Sign location. Sign shall be designed and placed in a secure manner for all weather conditions and shall not obstruct accessibility or visibility of pedestrians or vehicular movement. In accordance with Chapter 734, no sign or sign structure may be placed on or in the right-of-way of an alley or a street, except for the following sign types upon obtaining encroachment authorization from the appropriate governmental agency:

- i. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant.
 - ii. A-frame sign.
 - iii. Projecting signs.
 - iv. Awning or canopy sign.
 - v. Suspended sign.
 - vi. Wall sign.
6. Character. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and the district. Signs should be designed to reflect the small-town atmosphere of Main Street while fostering an exciting and festive atmosphere, enhancing a sporting event experience, or demonstrating a unique approach to advertising. Box signs typically do not meet the desired character.
7. Sign illumination. The Commission may authorize the internal or external illumination of signs.
- j. Screening of trash receptacles and refuse areas. No outside, unenclosed storage of recyclables or refuse containers exceeding 16 cubic feet in size shall be permitted on any lot. Any refuse or recyclable container, dumpster, or compactor exceeding 16 cubic feet in size shall be located within an area enclosed on all sides by a fence, wall, or similar means of enclosure. The enclosure does not require a roof. The height of the sides of the enclosure shall be the greater of six feet or two feet taller than the container, dumpster, or compactor that is being enclosed. All sides of the enclosure, including doors or gates, shall be opaque.
- k. Lighting. Lighting shall be designed to minimize overflow light into the night sky, shield the light filaments from any right-of-way or protected district, prohibit hazardous glare perceptible from any point beyond the lot lines, and provide adequate light for safety.
- l. Fencing. Except for use as described under subsection j., fences shall be constructed of materials that complement the design of the primary building. Chain-link fencing shall not be permitted. Barbed wire and razor wire shall be prohibited.
- m. Pedestrian Accessibility.
 1. Development shall provide sidewalks along eligible public streets, excepting interstate highways, expressways, freeways, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator; and, pedestrian accessibility to available public transit. Sidewalks shall consist of the walkway and any curb ramps or blended transitions. If required to be installed, the Administrator or the Commission shall be guided by the provisions of Sec. 732-214(c)(5) for the installation of sidewalks in the C-S District.
 2. Internal accessibility. Within a lot or integrated center, walkways shall be provided in accordance with a pedestrian plan that shall include a walkway system that functionally connects all of the building's main front entrances with the sidewalk located in the public right-of-way of each of the lot or integrated center's eligible public streets. The walkways may be constructed of asphalt, concrete, pavers, or other materials meeting ADA guidelines. Such private walkways shall provide for identifiable pedestrian crossing treatments along functional pedestrian routes wherever the private walkways cross an interior access drive or interior access driveway.
- n. Streetscape.

In order to create cohesiveness within the SZ-1 district, site furnishing elements have been delineated for public spaces along the Main Street Corridor in the Design Manual. For each of the site furnishings, substitutions that provide a similar style may be approved by the Commission. The site furnishings may include items appropriate to the site, such as, benches, trash receptacles, transit shelter, bollards, newspaper racks, trees, tree gates, bike lockers, bike racks, and public art.

- (2) Speedway Industrial District SZ-2 development standards.
 - a. Lot Coverage, Building Setbacks, and yards.
 1. No more than 60% of the lot area may be covered by impervious surfaces, including structures, parking, and other hard surfaces. This maximum lot coverage may be increased to 80% impervious surface coverage if appropriate methods for sustainability indicated in subsection j. below are utilized.
 2. No part of any building shall be located closer to the right-of-way line of any street than 50 feet. A front yard of no less than 50 feet in depth, measured from and parallel to the lot line, shall be provided along the entire lot width.
 3. A side setback and side yard of no less than 25 feet in depth, measured from and parallel to all side lot lines, shall be provided along all side lot lines.
 4. A rear setback and rear yard of no less than 25 feet in depth, measured from and parallel to all side lot lines, shall be provided along all rear lot lines.
 - b. Building height.
 1. The building height shall not be greater than 60 feet.
 2. Building height exceptions.
 - i. HVAC, mechanical equipment, stairwell enclosure, elevator equipment, and any required screening may extend above the maximum building height, but shall not be greater than ten feet above the maximum building height. Said structures shall be completely screened from view at any right-of-way and from any protected district.
 - ii. Where a lot line abuts a lot line in a protected district, the building height of any structure within one hundred (100) feet of the lot line shall not be greater than 35 feet.
 - c. Exterior building materials, Architectural features and Façade requirements.
 1. Walls on all sides of any building, exclusive of windows, shall be a minimum of 50% brick, stone, pre-cast concrete panels, tile, decorative block, wood or hardiplank lap siding, ceramic or glass. Other materials may be approved if determined that the materials meet the intent and purpose of the districts.
 2. Walls without windows shall not be permitted when facing or along a public right-of-way, public parking area, or park.
 3. Articulation on all walls shall not be less than every 75 feet.
 - d. Parking. The design, circulation, and amount of parking shall be in accordance with the standards in Article I, Section 733-211 of this ordinance. In addition, the following standards shall apply:
 1. Provisions for adequate bicycle, scooter and motorcycle parking shall be provided in proximity to the primary entrance in accordance with the Design Manual.
 2. Placement. No more than one single bay of parking shall be permitted between a public right-of-way and a building.
 3. Interior parking lot landscaping. All parking lots, regardless of size, shall provide interior landscaping. Landscaping shall be provided in accordance with the standards in Section 732-214(g)(3)
 - e. Signs. Except as modified by this division, the regulations of the following Sections shall apply: Sections 734-100 through 734-204, Sections 734-207, 734-300 and 734-303, Sections 734-400 through 734-701.
 1. Permitted sign types: ground sign, awning sign, wall sign, projecting sign, suspended sign, and window sign.
 2. Prohibited sign types: Off-premises (outdoor advertising) sign, pole sign, pylon sign, and portable sign shall be prohibited.

3. Sign types eligible for Special Consideration. Animated sign, roof sign, marquee sign, message center, and electronic variable message sign may be permitted after Special Consideration and the adoption of specific findings by the Commission that unique circumstances exist and that the specific design characteristics are appropriate for the district.
4. Number and size of signs by type.
 - i. Ground signs. One sign per building may be permitted in accordance with the following standards. The integration of signs, particularly the sharing of signs for multiple businesses, is encouraged.
 - (a) Maximum height of a ground sign shall be 10 feet.
 - (b) Maximum sign area of a ground sign shall be 200 square feet.
 - (c) Setback of a ground sign. Ground sign shall be located at least 10 feet from any right-of-way or property line.
 - (d) Separation. Ground sign shall be no closer than 300 feet to another ground sign.
 - (e) Ground sign shall not be located in any designated greenbelt or perimeter planting area.
 - ii. Awning signs, wall signs, projecting signs, suspended signs, and window signs may be located on any of the walls of a building. The total sign surface area of all signs shall not exceed 10% of the area of all facades.
 - iii. Coordinated Sign Plan. A coordinated sign plan for projects that contain five or more permitted signs may be submitted at the time of development plan submittal and approved by the Commission shall be eligible for a 20% increase in permitted sign surface area per permitted sign. Said plan shall indicate the size, design, illumination, and placement of all signs on the site.
 - iv. Sign illumination. The Commission may authorize the internal or external illumination of signs.
 - v. Character. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and landscaping on the site. Signs are recommended to be designed to reflect the small-town atmosphere of Speedway while professionally promoting the businesses that they represent. Box signs typically do not meet the desired character.
- f. Landscaping.
 1. General.
 - i. Landscaping shall be provided in accordance with the plan approved by the Commission in accordance with the guidance provided by the Design Manual.
 - ii. All required landscaping in accordance with the approved plan shall be installed within one year of the date of issuance of an improvement location permit .
 - iii. The landscaping shall be properly maintained at all times, upon installation and thereafter. Proper maintenance includes, but is not limited to, replacing dead plantings with identical varieties or a professionally acceptable substitute, proper pruning, provision of adequate water, and keeping the area free of refuse and debris.
 - iv. An approved landscaping plan may not be altered, eliminated, or modified, without first obtaining approval by the Commission or their designee.
 2. Greenbelt. Landscaping along Street frontage. A greenbelt shall be provided along each frontage. Greenbelts shall be landscaped and shall be otherwise

unoccupied except for steps, walks, driveways, lighting, and similar structures. Parking areas shall not be permitted in a greenbelt.

- i. Greenbelt along a Corridor Street.
 - (a) Minimum width shall be 20 feet.
 - (b) Plantings in the greenbelt along a Corridor Street shall be in accordance with the Design Manual.
- ii. Greenbelt along an Interior Street.
 - (a) Minimum width shall be 10 feet.
 - (b) Plantings in the greenbelt along an Interior Street shall be in accordance with the Design Manual.
3. Building perimeter plantings. A minimum planting area equal to an area measuring an average of 10 feet in depth and extending along the entirety of each wall of the building shall be landscaped adjacent to that wall of the building. Sidewalks may be permitted in these areas, but shall not occupy more than 50% of the area on any side of the building. If an approach driveway or loading area cuts into a planting area adjacent to the building, additional planting area equal to the area displaced by the driveway shall be added to the building perimeter planting. These perimeter planting areas need not be rectangular in shape as long as the required total area is landscaped and dispersed on at least three different sides of the building.
4. Property perimeter plantings. A minimum property perimeter planting area shall be provided along the perimeter of the property except for frontage areas and shall be in accordance with the Design Manual.
- g. Screening of trash receptacles, recyclable receptacles, refuse areas, and outside material/equipment storage.
 1. No outside, unenclosed storage or display of materials or equipment shall be permitted on any lot. All materials and equipment shall be contained within an area enclosed in proximity on all sides by a solid fence, wall, mound, or similar means of enclosure. The enclosure is not required to have a roof. The sides of the enclosure shall be the greater of six feet or two feet taller than the assemblage of material or equipment that is being enclosed. All sides of the enclosure structure, including doors or gates, shall be opaque.
 2. No outside, unenclosed storage of recyclables or refuse containers exceeding 16 cubic feet in size shall be permitted on any lot. Any refuse or recyclable container, dumpster, or compactor exceeding 16 cubic feet in size shall be located within an area enclosed on all sides by a fence, wall, or similar means of enclosure. The enclosure does not require a roof. The height of the sides of the enclosure shall be the greater of six feet or two feet taller than the container, dumpster, or compactor that is being enclosed. All sides of the enclosure, including doors or gates, shall be opaque.
- h. Lighting. Lighting shall be designed to minimize overflow light into the night sky, shield the light filaments from any right-of-way or protected district, prohibit hazardous glare perceptible from any point beyond the lot lines, and provide adequate light for safety.
- i. Fencing. Except for use as described under subsection g., fences shall be constructed of materials that complement the design of the primary building. Chain-link fencing is strongly discouraged. Barbed wire and razor wire shall be prohibited.
- j. Sustainability.

The purpose of this section is to promote health, safety, and welfare within the SZ-2 district and its environment by minimizing the harms and maximizing the benefits, through provisions designed to allow alternatives to the traditional building design and stormwater management. It is the intent of this section to encourage the use of Best Management Practices (BMPs) which are structural, vegetative, or managerial practices designed to treat, prevent, or reduce degradation of water quality due to stormwater runoff as well as the environmental impacts of building construction. All development projects subject to review under the requirements of this ordinance shall be designed,

constructed, and maintained using BMPs to minimize environmental impacts while maintaining and contributing to the aesthetic values of the project.

1. Green Roof Construction. None of the building surface area under green roof construction shall be counted towards the impervious surface cover calculations.
2. Parking Lot and other surfaced elements. In order to break up or disconnect the flow of runoff over impervious surfaces, the use of pervious pavement materials is encouraged and includes, but is not limited to, pervious asphalt, pervious concrete, grid systems, or block pavers. Surface areas constructed with pervious techniques and materials, shall not be counted towards the impervious surface cover calculations.
3. The Commission may grant an increase in allowable impervious surface coverage for projects utilizing some or all of the following types of elements of sustainability:
 - i. Sustainable Architecture. Sustainable architecture design practice emphasizes efficiency of heating and cooling systems, alternative energy sources such as passive solar, appropriate building siting, reused or recycled building materials, on-site power generation (solar technology, ground source heat pumps, wind power), rainwater harvesting for gardening and washing, and on-site waste management such as green roofs that filter and control stormwater runoff.
 - ii. Nonstructural Stormwater Management Strategies. To the maximum extent practicable, the stormwater drainage standards adopted by the Town of Speedway shall be met by incorporating nonstructural stormwater management strategies into the site design. The nonstructural stormwater management strategies incorporated into the site design shall:
 - (a) Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
 - (b) Maximize the protection of natural drainage features and vegetation;
 - (c) Minimize the decrease in the "time of concentration" from preconstruction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
 - (d) Minimize land disturbance including clearing and grading;
 - (e) Minimize soil compaction;
 - (f) Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
 - (g) Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas.
 - iii. Other sustainable strategies or practices that achieve the same intent outlined above.

Section 4. Section 735-751 of the "Revised Code of the Consolidated City and County," regarding the definitions in the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by renumbering Section 735-751 to Section 735-770 and by the addition of the language which is underscored, to read as follows and to alphabetically reorder as needed:

(b) Definitions.

Articulation. the means of dividing a structure's façade into distinct and significant parts through the use of windows, change in building materials, building façade insets, artwork, etc. in order to add scale to a structure and break up large expanses of unadorned walls. Refer to Diagram C.

Base Panel. The horizontal piece that forms the lowest member of a façade located between finished grade and the base of a window. Refer to Diagram C.

January 26, 2009

Design Manual. The Development Design Manual for Speedway as adopted and amended by the Speedway Town Council and the Metropolitan Development Commission.

Green Roof. The roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over waterproofing membrane.

Greenbelt. The portion of a front yard of a lot that is immediately adjacent and parallel to a street right-of-way and specified as such for landscaping purposes.

Sign Band. The horizontal piece of a façade framework, within which a sign is permitted, located between the top of a first story window or first story door and the base of a second story window. Refer to Diagram C.

Street, Corridor. Primary streets within the SZ-1 and SZ-2 Districts, more specifically defined as 16th Street, Holt Road, and 10th Street.

Street, Interior. Streets within the SZ-1 and SZ-2 Districts that are not identified as Corridor Streets shall be considered Interior Streets.

Surface, Permeable. A surface that permits water to enter the ground by virtue of its porous nature or by large spaces in the material.

Surface, Impervious. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Transparency. The ratio of glass of windows and doors compared to the entire face of a building, and shown in a percentage format. Refer to Diagram C.

DIAGRAM B Sign Types in Speedway Zoning Districts

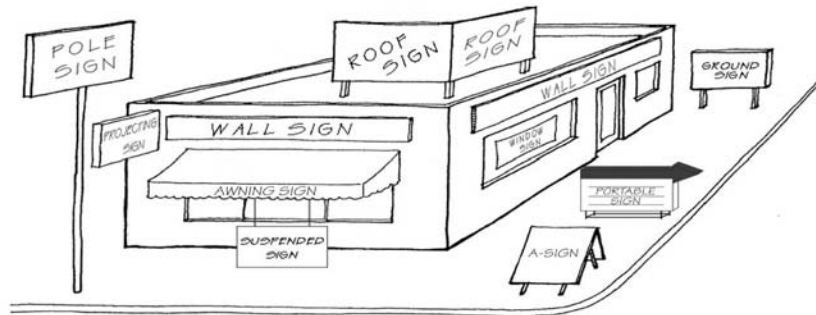
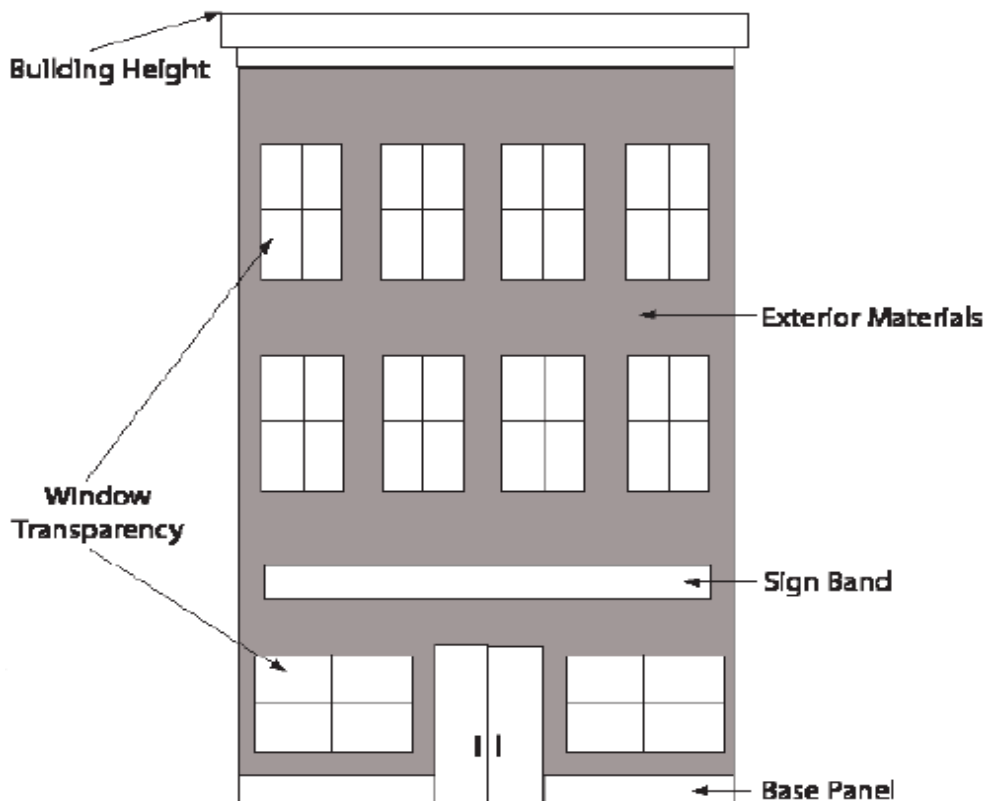


DIAGRAM C Elements of a Building



SECTION 5. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 6. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 7. This ordinance shall be in effect on January 1, 2009.

The foregoing amending ordinance, 2008-AO-02, to the Special Districts Zoning Ordinance of the "Revised Code of the Consolidated City and County" of Indianapolis- Marion County, Indiana, was approved by the affirmative vote of the Metropolitan Development Commission on the 5th day of November, 2008.

PROPOSAL NO. 605, 2008. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 605, 2008 on January 20, 2009. The proposal, sponsored by Councillors Speedy, Hunter and Plowman, amends the Code regarding possession and discharge of weapons on property of the department of waterworks. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Speedy moved to amend Proposal No. 605, 2008 due to several concerns that he has had with this proposal. There is only one reservoir owned by Waterworks, and this only pertains to that reservoir. He said that an issue was raised as to how Veolia functions as a private business with this new language, but Waterworks has pledged with the CEO of Veolia to allow him to operate his business like any other. The canal is not a part of the proposal anymore by amending this language, nor is Eagle Creek, which is owned by the Department of Waterworks. He said that the proposal was initiated due to the problem of the discharge of firearms for duck hunting on property Waterworks owns that was causing damage to private property. The new language allows residents on one side of the county line to have the same freedoms as those on the other half. This is a freedom issue for those who obey the law and have legal gun permits, and is not for criminals, as they will violate whatever is put in place, anyway. Councillor Mansfield seconded the motion to amend, and Proposal No. 605, 2008 was amended by a voice vote

Councillor Mansfield said that she is glad they decided to amend the proposal, because as originally submitted, there were many issues created and this addresses those concerns for her.

Councillor McQuillen moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 605, 2008, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 605, 2008, as amended, was retitled GENERAL ORDINANCE NO. 14, 2009, and reads as follows:

January 26, 2009

CITY-COUNTY GENERAL ORDINANCE NO. 14, 2009

A PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adding provisions to clarify Sec. 451-6.

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

SECTION 1. Section 6 of Chapter 451 of the Revised Code of the Consolidated and County be, and is hereby, amended by deleting the language that is stricken-through and inserting the underlined text, to read as follows:

Sec. 451-6. Possession and discharge of weapons on property of the department of waterworks.

(a) It shall be unlawful for any person, unless authorized by resolution of the board of directors of the department of waterworks, to discharge any firearms or have possession of any firearms or other explosive devices, or to endanger others by the use of any weapon, article or device, along or upon any reservoir ~~or property~~ owned, controlled or leased by the department of waterworks located in Marion County.

(b) The possession of a handgun by a person licensed to carry a handgun under IC 35-47-2 or by a person exempted from those licensing requirements by IC 35-47-2 shall not be unlawful under this section.

(c) The discharge of a firearm in protection of life or property as permitted by IC 35-41-3-2 shall not be unlawful under this section.

(d) Traditional fireworks celebrations and similar activities approved by the board of directors are not prohibited by this section.

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

PROPOSAL NO. 2, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 2, 2009 on Janaury 13, 2009. The proposal, sponsored by Councillor Vaughn, 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Pfisterer moved, seconded by Councillor Vaughn, for adoption. Proposal No. 2, 2009 was adopted on the following roll call vote; viz:

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

Proposal No. 2, 2009 was retitled GENERAL RESOLUTION NO. 2, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 2009

A GENERAL RESOLUTION approving 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.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), has

previously issued the "City of Indianapolis Redevelopment District Subordinate Tax Increment Revenue Bonds of 2002, Series A," dated December 30, 2002, in the original aggregate principal amount of \$129,485,000 (the "2002 A Bonds"), pursuant to the Amended and Restated First Supplemental and Amendatory Bond Resolution (Resolution No. 02-B-035) adopted by the Commission on November 20, 2002 (the "Amended and Restated First Supplemental Resolution"), which supplemented and amended the Amended and Restated Final Bond Resolution (Resolution No. 99-D-037) adopted by the Commission on July 7, 1999 (the "Original Resolution"); and

WHEREAS, on January 7, 2009, the Commission adopted a Preliminary Bond Resolution (Resolution No. 09B-001) (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the District, in one or more series or issues, in an aggregate principal amount not to exceed \$234,000,000 (the "2009 Bonds"), for the purposes of (1) procuring funds to be applied to the cost of refunding all of the outstanding 2002 A Bonds, (2) funding the Subordinate Reserve Account to the Subordinate Debt Service Reserve Requirement (each as defined in the Original Resolution), (3) funding any costs associated with the 2001 Interest Rate Agreements (as defined in the Amended and Restated First Supplemental Resolution), including one or more termination payments with respect thereto, and (4) paying costs and expenses incurred in connection with or on account of the issuance of the 2009 Bonds authorized therein (the "Refunding Costs"); and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the 2009 Bonds pursuant to Indiana Code § 36-3-5-8, and the City-County Council now finds that the issuance of the 2009 Bonds 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. The City-County Council does hereby approve (i) the Preliminary Bond Resolution, (ii) the issuance of the 2009 Bonds of the District, in one or more series or issues, in an aggregate principal amount not to exceed \$234,000,000 and with a final maturity not later than February 1, 2030, for the purpose of funding the Refunding Costs, and (iii) the issuance of bond anticipation notes of the District, in one or more series or issues, in an aggregate principal amount not to exceed \$234,000,000, payable from the proceeds of the 2009 Bonds and/or other revenues available to the Commission.

SECTION 2. The City-County Council does hereby acknowledge that the 2009 Bonds may be purchased with the proceeds of bonds to be issued by The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank Bonds"), and that the Bond Bank Bonds may be supported by one or more debt service reserve funds that will be subject to the provisions of IC 5-1.4-5-4 and Special Ordinance 67,85 of this City-County Council.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 18, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 18, 2009 on January 14, 2009. The proposal, sponsored by Councillor Vaughn, approves crime prevention initiative grant awards to specific organizations as recommended by the crime prevention advisory board and as approved by the mayor. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Brown asked if there is a review process in place for those who are unsuccessful in a bid so that they can be successful next time. He added that there are issues with regard to the IDI grant supplementing police work for the downtown district, but because IDI agreed to the youth component of providing summer jobs for youth, he can support.

Councillor Sanders said that she supports what IDI does as an organization, but for them to pay for police protection in a downtown area of a major city seems bizarre and seems to be subsidizing the IMPD budget. This would otherwise be shown as overtime, but they are using grant dollars to make it appear that police overtime costs are under control. She said that she will not subterfuget the entire vote because of this one component, but she also feels concerns about the Marion Superior Court allocation, and believes these grant dollars should be used for

programs that provide outreach to children and families at risk and ex-offenders to help break the cycle of crime. At the end of 2008, money was moved from the courts to other budgets because of excess, yet this allocates more to the agency. While she understands this program relates directly to teen offenders and their turnaround, it seems to be subsidizing government functions and this money was intended to go to organizations outside of city government. She said that she applauds all these entities for their efforts in crime prevention, but regrets that this is an all or nothing vote, as some of the money seems to be subsidizing government budgets.

Councillor Mansfield said that she supported the increase to help fund crime prevention grants with an intent to provide tools and resources to children and families at risk and reduce recidivism. She does agree with previous comments that some of these programs should have been addressed within government budgets and are not what these grants were intended for. She said that the council should maybe consider codifying what the intent is for true crime prevention grants in the future. She said that she supports the proposal as a whole, but feels some of it does not fulfil the true intent of this grant program.

Councillor Bateman agreed and said that many hands-on programs did not receive funds even though they had a history and success of working in the community.

Councillor Oliver said that he sits on this board and many long hours are spent deliberating this process. He said that he does have concerns about small neighborhood organizations going up against IDI and other large companies to compete for these dollars, as they do not have the same resources. He said that he supports the proposal because it has some good programs involved, but he is surprised that IDI would even apply for these types of dollars or accept them.

Councillor Vaughn said that these grant award decisions are made by volunteer members meeting over 15 times. He said that these individuals are dedicated to do the kind of hard work and research required and make tough decision. Almost \$27 million of requests were received, with only \$5 million in funding. That leaves 80% of those applicants unhappy with the outcome because they did not receive funds. However, substantial discussion took place and all meetings were public hearings, and he hopes councillors will honor that evaluation process.

Councillor Brown said that he agrees the committee did a good job, but feels the cost for more police officers on the street should have been funded by the COIT increase across the county, and not just in one area.

Councillor Sanders asked what the time frame is for crime statistics to show whether a program is successful or producing results in preventing crime. Councillor Vaughn said that he is not sure when the measuring begins or ends, but the structure of the program is that these organizations must provide quarterly updates, and they should start seeing results beginning in the third quarter.

Councillor Hunber said that as a matter of Council rules, he wants to disclose that he has a relationship with the Peace Learning Center, who is receiving some of these dollars. Councillor Lewis stated that she also serves on the LISK and Bethlehem house boards.

Councillor Malone said that it might be difficult to measure the outcome in the reduction of crime with some of these programs.

Councillor Vaughn moved, seconded by Councillor Day, for adoption. Proposal No. 18, 2009 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Cain, Gray, Minton-McNeill

Proposal No. 18, 2009 was retitled GENERAL RESOLUTION NO. 3, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 2009

PROPOSAL FOR A GENERAL RESOLUTION to approve crime prevention initiative grant awards to specific organizations as recommended by the crime prevention advisory board and as approved by the mayor.

WHEREAS, the crime prevention advisory board, having been advised by the Greater Indianapolis Progress Committee, approved certain funding recommendations on crime prevention initiatives and programs; and

WHEREAS, the Mayor reviewed the recommendations of the crime prevention advisory board, and approved the recommendations of community crime prevention grants attached hereto and incorporated herein by reference as "Appendix A;" and

WHEREAS, Section 283-605 of the Revised Code of the Consolidated City and County provides that the department of public safety shall prepare an appropriate resolution proposal for the council's approval; now, therefore,

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

SECTION 1. Pursuant to Section 283-605 of the Revised Code of the Consolidated City and County, the city-county council hereby approves the award of community crime prevention grants to the entities, and in the amounts provided, on Appendix A.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

APPENDIX A

**Proposed Final Budget
Community Crime Prevention Grants**

January 5, 2009*

<u>Grantee</u>	<u>Amount</u>
100 Black Men	\$50,000
Alpha Foundation for Youth	\$15,000
Bethlehem House	\$60,000
Big Brothers/Big Sisters	\$75,000
Boys II Men	\$15,000
Boys and Girls Clubs of Greater Indianapolis	\$70,000
Central Indiana Community Foundation/Justice Planning Council	\$102,000
Children Family School Enrichment Center	\$45,000
Children's Bureau	\$75,000
Church of Acts	\$75,000
Clarian Health	\$60,000
Community Addiction Services of Indiana	\$60,000
Ebenezer Retreat & Camping Institute	\$40,000
Emanuel Baptist Church	\$80,000
Family Service of Central Indiana	\$86,000
Fathers and Families	\$200,000
Great Commission Church of God	\$71,352

January 26, 2009

Hawthorn Community Center	\$96,000
Hillcraft Services	\$80,000
Hispanic Latin Minority Health Coalition	\$60,000
Horizon House	\$60,000
Indianapolis Arts Center	\$45,000
Indiana Black Expo	\$80,000
Indianapolis Chamber of Commerce/Common Goal	\$70,000
Indianapolis Children's Choir	\$50,000
Indianapolis Downtown, Inc.	\$160,000
Indianapolis Peace Institute	\$50,000
Indianapolis Public Schools	\$50,000
Indianapolis Ten Point Coalition	\$170,000
Indianapolis Urban League	\$100,000
LISC, Inc.	\$50,000
Marion County Superior Courts	\$75,000
Mind Trust	\$110,000
New Light Christian Church	\$20,000
Outreach, Inc.	\$89,347
PACE/OAR	\$150,000
Peace Learning Center	\$50,000
Progress House	\$160,000
Reach for Youth	\$60,000
River Valley Resources	\$123,000
Save the Youth	\$90,000
Tannahill Wrestling	\$40,000
Trusted Mentors	\$70,000
United Neighborhood Centers	\$440,000
Use What You Got Prison Ministries	\$50,000
Voice Crying in the Wilderness	\$90,000
Wishard Health Services	\$257,000
Workforce, Inc.	\$150,000
CrimeWatch	\$100,000
Summer Youth Employment Program Fund	<u>\$125,000</u>
SUB TOTAL	\$4,549,699
<i>*Administration/Evaluation Costs Not to Exceed:</i>	<u>\$450,301</u>
FINAL TOTAL:	\$5 MILLION

*This proposed budget is based on analysis by Scott C. Newman, Director of Public Safety, synthesizing recommendations of grant review staff, staff of Greater Indianapolis Progress Committee, the Office of Corporation Counsel, and the Community Crime Prevention Board, as constituted by City Ordinance.

NEW BUSINESS

Councillor Brown said that he asked for help last meeting to obtain some information he requested from the Parks Department and still has not received it. President Cockrum said that he did follow up on this issue and will follow up again.

Councillor Brown asked when Proposal No. 300, 2008 is going to be put on the Public Safety and Criminal Justice Committee agenda. Councillor Vaughn said that Councillor Brown was charged with the opportunity to work with Public Safety Director Scott Newman to do the work necessary to have a hearing on this proposal. He said that there is no sense in putting it on the agenda if they are not ready to hear it. Councillor Brown said that he is still working with Mr. Newman and would appreciate it being put on the agenda to be postponed, so that it does not drop off the calendar.

Councillor Hunter stated that the Public Works Committee was cancelled due to a death in the family, and with IDEM no longer funding air pollution control, there will be a public hearing in the Public Assembly Room on Wednesday at 6:30 p.m. to address this issue.

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 Sanders in memory of John McCarrel; and
- (2) Councillor Day in memory of Richard "Dick" Templin; and
- (3) Councillor Gray in memory of Carl Earnest Rush, John Dozier, Sr., George L. Walker, June Kendrick-Mason, Zeola B. Adair and Athera Adams; and
- (4) Councillor Hunter in memory of Aaron Wildrick; and
- (5) Councillor Hunter, Moriarty Adams and Brown in memory of George "Fred" Thompson.

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 John McCarrel, Richard "Dick" Templin, Carl Earnest Rush, John Dozier, Sr., George L. Walker, June Kendrick-Mason, Zeola B. Adair, Athera Adams, Aaron Wildrick, and George "Fred" Thompson. 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 8:34 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 26th day of January, 2009.

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)