

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

AGENDA

CITY COUNTY COUNCIL

AND THE

INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION

SPECIAL SERVICE DISTRICT COUNCILS

September 21, 2009

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor McHenry**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – August 31, 2009**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 347, 2009 (Council Resolution)
INTRODUCED: 09/21/2009 BY: Councillors Mansfield and Oliver
REFERRED TO: Committee of the Whole
DIGEST: recognizes the 25th anniversary of Dialogue Today

PROPOSAL NO. 362, 2009 (Special Resolution)
INTRODUCED: 09/21/2009 BY: Councillor Pfisterer
REFERRED TO: Committee of the Whole
DIGEST: recognizes Virginia Terpening

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

PROPOSAL NO. 334, 2009 (Council Resolution)
INTRODUCED: 08/31/2009 BY: Councillor Speedy
REFERRED TO: Community Affairs Committee
DIGEST: appoints Kristin Lee Sims to the Marion County Children's Guardian Home Reuse Authority
COMMITTEE ACTION:
09/15/2009 Do Pass 4-0

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 356, 2009 (Fiscal Ordinance)
INTRODUCED: 09/21/2009 BY: Councillor Day
REFERRED TO: Metropolitan Development Committee
DIGEST: approves an additional appropriation of \$600,000 in the 2009 Budget of the Department of Metropolitan Development, Office of Code Enforcement (Consolidated County Fund) to finance the continued operations of the High Weeds and Grass program

PROPOSAL NO. 357, 2009 (Council Resolution)
INTRODUCED: 09/21/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints Jason Reyome to the Community Corrections Advisory Board

PROPOSAL NO. 358, 2009 (Council Resolution)
INTRODUCED: 09/21/2009 BY: Councillors Vaughn, Mansfield and Hunter
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: appoints William Gooden to the Animal Care and Control Board

PROPOSAL NO. 359, 2009 (General Ordinance)
INTRODUCED: 09/21/2009 BY: Councillors Hunter and McQuillen
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: amends the Code to adopt a new chapter requiring permits for funeral and other escorted vehicular processions

PROPOSAL NO. 360, 2009 (General Ordinance)
INTRODUCED: 09/21/2009 BY: Councillor Hunter
REFERRED TO: Public Works Committee
DIGEST: establishes a 25 mile per hour speed limit on sections of Burgess Avenue and Julian Avenue (District 21)

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 361, 2009 (Special Resolution)
INTRODUCED: 09/21/2009 BY: Councillor Lutz
REFERRED TO: Committee of the Whole
DIGEST: reviews the 2010 tax rates, tax levies and budgets of certain civil taxing units and adopts recommendations with respect thereto
COMMITTEE ACTION:
09/17/2009 Do Pass As Amended 6-0

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 363-368, 2009 (Rezoning Ordinances)
INTRODUCED: 09/21/2009 BY: Councillor Smith
REFERRED TO: Committee of the Whole
DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on September 10, 2009

X. SPECIAL ORDERS - PUBLIC HEARING

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 313, 2009 (Fiscal Ordinance)
INTRODUCED: 08/10/2009 BY: Councillor McQuillen
REFERRED TO: Municipal Corporations Committee
DIGEST: adopts the annual budget for the Indianapolis Airport Authority for 2010
COMMITTEE ACTION:
09/16/2009 Do Pass 6-1

PROPOSAL NO. 314, 2009 (Fiscal Ordinance)
INTRODUCED: 08/10/2009 BY: Councillor McQuillen
REFERRED TO: Municipal Corporations Committee
DIGEST: adopts the annual budget for the Capital Improvement Board of Managers for 2010
COMMITTEE ACTION:
09/16/2009 Do Pass As Amended 4-3

PROPOSAL NO. 315, 2009 (Fiscal Ordinance)
INTRODUCED: 08/10/2009 BY: Councillor McQuillen
REFERRED TO: Municipal Corporations Committee
DIGEST: adopts the annual budget for the Health and Hospital Corporation for 2010
COMMITTEE ACTION:
09/16/2009 Do Pass 7-0

PROPOSAL NO. 316, 2009 (Fiscal Ordinance)
INTRODUCED: 08/10/2009 BY: Councillor McQuillen
REFERRED TO: Municipal Corporations Committee
DIGEST: adopts the annual budget for the Indianapolis Public Transportation Corporation (IndyGo) for 2010
COMMITTEE ACTION:
09/16/2009 Do Pass As Amended 6-1

PROPOSAL NO. 317, 2009 (Fiscal Ordinance)
INTRODUCED: 08/10/2009 BY: Councillor McQuillen
REFERRED TO: Municipal Corporations Committee
DIGEST: adopts the annual budget for the Indianapolis-Marion County Public Library for 2010
COMMITTEE ACTION:
09/16/2009 Do Pass 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 321, 2009 (Fiscal Ordinance)

INTRODUCED: 08/10/2009 BY: Councillor Cockrum

REFERRED TO: Administration and Finance, Community Affairs, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice and Public Works Committees

DIGEST: adopts the annual budget for the City of Indianapolis and Marion County for 2010

COMMITTEE ACTION:

09/08/2009 Administration and Finance Committee - Do Pass As Amended 7-0

09/10/2009 Parks and Recreation Committee - Do Pass As Amended 4-3

09/10/2009 Public Works Committee - Do Pass 9-0

09/14/2009 Metropolitan Development Committee - Do Pass 7-0

09/15/2009 Community Affairs Committee - Do Pass As Amended 4-0

09/17/2009 Public Safety and Criminal Justice Committee - Do Pass As Amended 5-2

09/21/2009 Administration and Finance Committee – Do Pass As Amended _____

PROPOSAL NO. 332, 2009 (General Resolution)

INTRODUCED: 08/31/2009 BY: Councillors Cockrum, Sanders and Malone

REFERRED TO: Administration and Finance Committee

DIGEST: approves a property tax installment payment plan for certain taxpayers with a homestead deduction

COMMITTEE ACTION:

09/08/2009 Do Pass 6-0

PROPOSAL NO. 333, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Vaughn

REFERRED TO: Administration and Finance Committee

DIGEST: amends the Code to increase the surety bond amounts of certain county officials, as necessitated by recent statutory amendments

COMMITTEE ACTION:

09/08/2009 Do Pass 6-0

PROPOSAL NO. 335, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Sanders

REFERRED TO: Community Affairs Committee

DIGEST: amends the Code with respect to expenditures from the Marion County Children's Guardian Home Donation and Cash Change Funds

COMMITTEE ACTION:

09/15/2009 Do Pass 4-0

PROPOSAL NO. 336, 2009 (Special Resolution)

INTRODUCED: 08/31/2009 BY: Councillor McQuillen

REFERRED TO: Municipal Corporations Committee

DIGEST: authorizes an excessive levy appeal for the Indianapolis Public Transportation Corporation

COMMITTEE ACTION:

09/16/2009 Strike 6-1

PROPOSAL NO. 337, 2009 (General Resolution)

INTRODUCED: 08/31/2009 BY: Councillor McQuillen

REFERRED TO: Municipal Corporations Committee

DIGEST: approves the issuance of general obligation refunding bonds for the Indianapolis-Marion County Public Library in an amount not to exceed \$48,000,000

COMMITTEE ACTION:

09/16/2009 Do Pass 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 338, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Vaughn

REFERRED TO: Metropolitan Development Committee

DIGEST: amends the zoning ordinance to change the name of the enforcement agency to the new city department of code enforcement and to make grammatical corrections (2009-AO-01)

COMMITTEE ACTION:

09/14/2009 Do Pass 7-0

PROPOSAL NO. 339, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Vaughn

REFERRED TO: Metropolitan Development Committee

DIGEST: amends the enforcement and remedies ordinance to change the name of the police department to its official title and to make grammatical corrections (2009-AO-02)

COMMITTEE ACTION:

09/14/2009 Do Pass 7-0

PROPOSAL NO. 340, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Vaughn

REFERRED TO: Metropolitan Development Committee

DIGEST: amends the subdivision control ordinance to change the referenced agency name from township assessor to county assessor and to make grammatical corrections (2009-AO-03)

COMMITTEE ACTION:

09/14/2009 Do Pass 7-0

PROPOSAL NO. 341, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillors Vaughn and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to clarify the sources and use of the Marion Superior Court equipment fund

COMMITTEE ACTION:

09/17/2009 Do Pass As Amended 7-0

PROPOSAL NO. 342, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Nytes

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on Michigan Street between College Avenue and Leon Street (District 9)

COMMITTEE ACTION:

09/10/2009 Do Pass 9-0

PROPOSAL NO. 343, 2009 (General Ordinance)

INTRODUCED: 08/31/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: authorizes a multi-way stop at the intersection of Burgess Avenue and Spencer Avenue (District 21)

COMMITTEE ACTION:

09/10/2009 Do Pass 9-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 345, 2009 (General Ordinance)
INTRODUCED: 08/31/2009 BY: Councillor Vaughn
REFERRED TO: Rules and Public Policy Committee
DIGEST: amends the Code to correct all spellings of the word councillor and to make other technical corrections
COMMITTEE ACTION:
09/17/2009 Do Pass 6-0

XIII. SPECIAL SERVICE DISTRICT COUNCILS

A. POLICE SPECIAL SERVICE DISTRICT

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 318, 2009 (P.S.S.D.F.O.)
INTRODUCED: 08/10/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: adopts the annual budget for the Police Special Service District for 2010
COMMITTEE ACTION:
09/17/2009 Do Pass As Amended 7-0

B. FIRE SPECIAL SERVICE DISTRICT

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 319, 2009 (F.S.S.D.F.O.)
INTRODUCED: 08/10/2009 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: adopts the annual budget for the Fire Special Service District for 2010
COMMITTEE ACTION:
09/17/2009 Do Pass As Amended 7-0

C. SOLID WASTE SPECIAL SERVICE DISTRICT

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 320, 2009 (S.W.C.S.S.D.F.O.)
INTRODUCED: 08/10/2009 BY: Councillor Hunter
REFERRED TO: Public Works Committee
DIGEST: adopts the annual budget for the Solid Waste Collection Special Service District for 2010
COMMITTEE ACTION:
09/10/2009 Do Pass 9-0

XIV. NEW BUSINESS

XV. ANNOUNCEMENTS AND ADJOURNMENT

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

President's Designee Mr. President.

The President The Chair recognizes Councillor Sanders.

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

by All Councillors in memory of Myles Brand and Melvin Simon.

by Councillors Day, Speedy and McQuillen in memory of Jack Perry.

by Councillor Cain in memory of Steven Michael Pearce, Mary Skinner and Charley Kirk.

by Councillor Pfisterer in memory of Robert Keithley.

by Councillor Sanders in memory of Jane Lippincott Haldeman and Theodore Clarence Mays, Jr.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

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

Hearing no further motions, we are adjourned.

XVI. PENDING PROPOSALS

PROPOSAL NO. 3, 2008 (General Ordinance)

INTRODUCED: 01/07/2008 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

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

COMMITTEE ACTION:

01/15/2008 Tabled 8-0

09/30/2008 Tabled 6-0

03/31/2009 Tabled 6-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 124, 2009 (Council Resolution)

INTRODUCED: 04/13/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: reappoints Mark F. Rumreich to the Marion County Stormwater Management Technical Advisory Committee

COMMITTEE ACTION:

04/23/2009 Postpone until 5/14/2009 8-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 132, 2009 (General Ordinance)

INTRODUCED: 04/13/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

COMMITTEE ACTION:

04/23/2009 Postpone until 5/14/2009 8-0

05/14/2009 Postpone until 6/18/2009 9-0

07/09/2009 Postpone until 8/20/2009 7-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 172, 2009 (General Ordinance)

INTRODUCED: 05/04/2009 BY: Councillor Lutz

REFERRED TO: Public Works Committee

DIGEST: authorizes one-way restrictions on Waldemere Avenue and Alley 1175 South (District 13)

COMMITTEE ACTION:

05/28/2009 Postpone until 6/18/2009 9-0

07/09/2009 Postpone until 8/20/2009 7-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 178, 2009 (General Ordinance)

INTRODUCED: 05/04/2009 BY: Councillors Speedy and Cain

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code by adding provisions to clarify Chapter 531 regarding regulation of pit bulls, including registration and sterilization, better humane standards for the care and treatment of all dogs, and requiring all dogs and cats adopted out of the animal care and control system to be altered

COMMITTEE ACTION:

05/12/2009 Tabled 7-0

PROPOSAL NO. 202, 2009 (General Ordinance)

INTRODUCED: 05/18/2009 BY: Councillor Evans

REFERRED TO: Public Works Committee

DIGEST: amends Chapter 511, Air Pollution Control, of the Revised Code to formally codify noxious odor emission standards and to regulate noxious odor emissions in Indianapolis and Marion County

COMMITTEE ACTION:

05/28/2009 Postponed 8-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 207, 2009 (Special Resolution)

INTRODUCED: 06/08/2009 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: determines the need to lease approximately 25,000 square feet of office space at 6250 West 38th Street for use as a traffic court, clerk's office and probation office of the Marion Superior Court

COMMITTEE ACTION:

06/09/2009 Do Pass As Amended 6-0

COUNCIL ACTION:

06/29/2009 Returned to Committee

PROPOSAL NO. 214, 2009 (General Resolution)

INTRODUCED: 06/08/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project

COMMITTEE ACTION:

06/18/2009 Postpone until 7/9/2009 6-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 218, 2009 (General Ordinance)

INTRODUCED: 06/08/2009 BY: Councillor Coleman

REFERRED TO: Public Works Committee

DIGEST: amends the Code to provide for motorcycle parking meter spaces

COMMITTEE ACTION:

07/09/2009 Tabled 5-2

PROPOSAL NO. 243, 2009 (Special Ordinance)

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

REFERRED TO: Public Works Committee

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

COMMITTEE ACTION:

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

07/30/2009 Tabled 8-0

PROPOSAL NO. 254, 2009 (General Ordinance)

INTRODUCED: 06/29/2009 BY: Councillor Minton McNeill

REFERRED TO: Public Works Committee

DIGEST: authorizes changes in parking and parking meter zones on Meridian Street between 9th and St. Joseph Streets and on St. Joseph Street between Meridian and Scioto Streets (District 15)

COMMITTEE ACTION:

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

07/30/2009 Tabled 8-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 256, 2009 (Special Resolution)

INTRODUCED: 06/29/2009 **BY:** Councillors Sanders and Plowman

REFERRED TO: Rules and Public Policy Committee

DIGEST: calls upon the hospitality industry to reduce the negative impact of outsourcing jobs on the community

COMMITTEE ACTION:

07/28/2009 Postponed 5-0

PROPOSAL NO. 286, 2009 (General Ordinance)

INTRODUCED: 07/20/2009 **BY:** Councillors D. Mahern and McQuillen

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code regarding residency requirements for employees of the City and County

PROPOSAL NO. 293, 2009 (Council Resolution)

INTRODUCED: 08/10/2009 **BY:** Councillor Coleman

REFERRED TO: Parks and Recreation Committee

DIGEST: directs the Director and the Board of Parks and Recreation to consider the sale of city golf courses

COMMITTEE ACTION:

08/13/2009 Tabled 7-0

PROPOSAL NO. 294, 2009 (General Ordinance)

INTRODUCED: 08/10/2009 **BY:** Councillors Malone and Moriarty Adams

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to clarify provisions regarding the Indianapolis Fire Department and to reflect the prevailing operation of the department

COMMITTEE ACTION:

08/12/2009 Postpone 8-0

08/19/2009 Postpone until 8/26/2009 6-0

08/26/2009 Postpone 6-0

09/17/2009 Postpone until 9/23/2009 7-0

PROPOSAL NO. 303, 2009 (General Ordinance)

INTRODUCED: 08/10/2009 **BY:** Councillor Coleman

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to add a new section regarding the internet posting of city and county contracts

PROPOSAL NO. 322, 2009 (Fiscal Ordinance)

INTRODUCED: 08/10/2009 **BY:** Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: adopts the annual budget for the Ben Davis Conservancy District for 2010

COMMITTEE ACTION:

09/10/2009 Postpone until 10/1/2009 9-0