

**** 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

October 5, 2009

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE – Councillor McQuillen**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – September 21, 2009**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 374, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillors Brown, Gray and B. Mahern

REFERRED TO: Committee of the Whole

DIGEST: recognizes R. Elizabeth Odle

PROPOSAL NO. 375, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillors Bateman, Oliver, Lewis and Minton McNeill

REFERRED TO: Committee of the Whole

DIGEST: recognizes Reverend Father Boniface Hardin

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

PROPOSAL NO. 376, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillors Bateman and Oliver

REFERRED TO: Committee of the Whole

DIGEST: recognizes Ronald Brown

PROPOSAL NO. 377, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillor Cockrum

REFERRED TO: Committee of the Whole

DIGEST: urges a parking meter blackout to encourage veterans and citizens to observe the November 11, 2009 Veterans Day activities

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

10/01/2009 Strike 7-0

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

COMMITTEE ACTION:

09/23/2009 Do Pass 8-0

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

COMMITTEE ACTION:

09/23/2009 Do Pass 8-0

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 370, 2009 (Fiscal Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Pfisterer and Moriarty Adams

REFERRED TO: Administration and Finance Committee

DIGEST: approves a transfer of \$44,200 in the 2009 Budget of the Marion County Assessor (County General Fund) to replace three new central air conditioning units, to upgrade and standardize computer connectivity, and to fund other equipment purchases necessary to expedite commercial appeals processing and to perform mandatory reassessment activities

PROPOSAL NO. 371, 2009 (General Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Hunter, Mansfield and Evans

REFERRED TO: Community Affairs Committee

DIGEST: amends the Code with respect to nonsmoking areas

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 372, 2009 (Fiscal Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Moriarty Adams and Pfisterer

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves a transfer of \$5,000 in the 2009 Budget of the Marion County Circuit Court (County General Fund) to purchase general office supplies

PROPOSAL NO. 373, 2009 (Fiscal Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Moriarty Adams and Pfisterer

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves a transfer and appropriation of \$690,241 in the 2009 Budget of the Marion Superior Court (County General, Cumulative Capital Improvement, Alternative Dispute Resolution and County Grants Funds) to fund increased mediation costs, additional personnel costs, payroll software, Guardian Ad Litem costs, and a court recording system

PROPOSAL NO. 378, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: supports FedEx Express operations and the City of Indianapolis

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 369, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillor Lutz

REFERRED TO: Rules and Public Policy Committee

DIGEST: reviews the 2010 tax rates, tax levies and budgets of the Towns of Warren Park and Spring Hill, and adopts recommendations with respect thereto

COMMITTEE ACTION:

09/29/2009 Do Pass 8-0

PROPOSAL NOS. 379-382, 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 25, 2009

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 356, 2009 (Fiscal Ordinance)

INTRODUCED: 09/21/2009 BY: Councillors Day and Nytes

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

COMMITTEE ACTION:

10/01/2009 Do Pass 9-0

PROPOSAL NO. 368, 2009 (Rezoning Ordinance)

INTRODUCED: 09/21/2009 BY: Councillor Smith

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance for Center Township, Council District 15, 450 East Washington Street and 101 North New Jersey Street (2009-ZON-046)

COUNCIL ACTION:

09/21/2009 Scheduled for Public Hearing on October 5, 2009

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

XII. SPECIAL ORDERS - FINAL ADOPTION

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

COMMITTEE ACTION:

09/22/2009 Do Pass 4-2-1

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

10/01/2009 Strike 7-0

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

COMMITTEE ACTION:

09/29/2009 Do Pass 8-0

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:

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

08/26/2009 Postpone 6-0

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

09/23/2009 Do Pass As Amended 8-0

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

10/01/2009 Do Pass As Amended 8-0

XII. SPECIAL ORDERS - FINAL ADOPTION

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)
COMMITTEE ACTION:
10/01/2009 Do Pass 8-0

XIII. SPECIAL SERVICE DISTRICT COUNCILS

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 Plowman.

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

by Councillors McQuillen and Cain in memory of Mary Jane English.

by Councillor McQuillen in memory of Sandra Bartenbach.

by Councillors Hunter and Gray in memory of David E. Sanders.

by Councillor Malone in memory of Evelyn Williams.

by Councillor Gray in memory of Wanda L. Harris Everett, Mary Lou Blunt, David E. Sanders and John Horner.

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 Plowman. 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. 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

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

XVI. PENDING PROPOSALS

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. 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

09/29/2009 Postpone until 10/13/2009 8-0

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. 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

COMMITTEE ACTION:

09/29/2009 Postpone until 11/4/2009 8-0

PROPOSAL NO. 359, 2009 (General Ordinance)

INTRODUCED: 09/21/2009 BY: Councillors Hunter, McQuillen and Malone

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

COMMITTEE ACTION:

09/23/2009 Tabled 8-0