

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, SEPTEMBER 27, 2021**

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 7:10 p.m. on Monday, September 27, 2021 with Councillor Osili presiding.

Councillor E. Evans introduced Pastor Sandy Adams, Castleton United Methodist Church, who led the opening prayer. Councillor E. Evans 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:

23 PRESENT: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
2 ABSENT: Bain, Carlino

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

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, September 27, 2021, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Vop Osili
President, City-County Council

September 13, 2021

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Journal of the City-County Council

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, September 17, 2021 a copy of a Notice of Public Hearing on Proposal No. 315, 2021, said hearing to be held on Monday, September 27, 2021 at 7:00 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
s/SaRita Hughes
Clerk of the City-County Council

September 21, 2021

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, SaRita Hughes, the following ordinance:

FISCAL ORDINANCE NO. 18, 2021 – approves an additional appropriation not to exceed \$100,000,000 in the 2021 City Non-Departmental Budget (Federal Stimulus COVID Grant Fund) from character three to help address the demand for residential rental assistance from Marion County residents who have been impacted by the pandemic

FISCAL ORDINANCE NO. 19, 2021 – approves an additional appropriation totaling \$2,595,000 in the 2021 Budget of the Indianapolis Fire Department (City Federal Grants Fund) in characters one, two, three, and four, for the purpose of funding expenses incurred during the deployments of Indiana Task Force One as part of the National Urban Search & Rescue Response System Response Cooperative Agreement

FISCAL ORDINANCE NO. 20, 2021 – establishes an ARP Coronavirus Local Fiscal Recovery Subfund of the Federal Stimulus-Coronavirus Pandemic Fund to hold the City's allocation of Fiscal Recovery Fund dollars from the federal government pursuant to the American Rescue Plan Act of 2021 and approves an appropriation totaling \$206,309,559 in the 2021 City Non-Departmental Budget (ARP Coronavirus Local Fiscal Recovery Subfund) in characters one, three, and four to fund response efforts addressing the COVID-19 pandemic, including public-health measures; programs to combat the secondary economic effects of the pandemic faced by Marion County residents, small businesses, and non-profits; and expenses incurred, or that will be incurred, by City-County government in response to the pandemic

FISCAL ORDINANCE NO. 21, 2021 – approves an additional appropriation totaling \$25,000,000 in the 2021 Budget of the Department of Public Works (Capital Asset Lifecycle and Development Fund) in Characters 3 and 4 to finance design, construction and inspection of capital infrastructure projects in furtherance of development of Greenways, Neighborways, and other multimodal facilities as prescribed in the City of Indianapolis and Marion County Indy Moves Transportation Integration and Thoroughfare Plans

GENERAL ORDINANCE NO. 33, 2021 – amends the Code to clarify provisions regarding the Indianapolis Fire Department, reflect the prevailing operations of the department, and make technical corrections

GENERAL ORDINANCE NO. 34, 2021 – authorizes a speed limit reduction to 25 miles per hour in Forest Commons subdivision, as well as all streets within the adjacent Kuester Survey, Mitchell's Homes Survey, Forest Creek Commons, Willow Pond, Victory Terrace, Catalina Estates and Swathmoor Hills subdivisions (District 23)

GENERAL ORDINANCE NO. 35, 2021 – authorizes a speed limit reduction to 25 miles per hour in the Adler Grove subdivision (District 18)

GENERAL ORDINANCE NO. 36, 2021 – authorizes a speed limit reduction to 25 miles per hour in the William L. Elder's University Heights, Elder's Marion Heights, Martin Burton's and Reliable Realty Company's The Freeland subdivisions (Districts 16, 24)

GENERAL ORDINANCE NO. 37, 2021 – authorizes a speed limit reduction to 25 miles per hour in the Cloverleaf Farms, Lyndale and Biltmore Gardens platted subdivisions (District 22)

GENERAL ORDINANCE NO. 38, 2021 – approves changes to compensation and personnel ordinances to provide that the Controller is to apply cost of living adjustment to employee salary classification schedules in annual budget ordinance and to consider corresponding compensation increases for employees not covered by a collective bargaining ordinance; clarify incentive pay program and add a bonus award program to recognize exemplary performance and service; reinstitute benefit leave for all part-time employees; waive the requirement for 2-weeks notice upon separation for a payout of benefit leave for certain employees; eliminate the payout of benefit leave when employee is terminated for gross misconduct; clarify the language of the holiday ordinance as it pertains to those employees on a non-standard schedule; and add a new section providing paid parental leave

GENERAL ORDINANCE NO. 39, 2021 – revises the structure of the information services agency to absorb the functions formerly performed by the telecom and video services agency, while maintaining continuity of operations and services; to grant the information technology board the responsibilities and authorities formerly exercised by the telecom and video services board

September 27, 2021

GENERAL ORDINANCE NO. 40, 2021 – revises the structure of the Office of Public Health and Safety to recognize its new divisions and the creation of the Assessment & Intervention Center; creates the Metropolitan Emergency Services Agency, with divisions of emergency management, public safety communications, and emergency dispatch, absorbing functions previously performed by divisions of the Indianapolis Metropolitan Police Department, the Office of Public Health and Safety, the Marion County Sheriff's Office, and the Indianapolis Fire Department; creates an emergency services agency board and an emergency management advisory commission in accordance with state statute; and revises the ordinance governing Indianapolis Emergency Medical Services

SPECIAL ORDINANCE NO. 8, 2021 – authorizes the issuance of general obligation bonds of the Consolidated City in an aggregate principal amount not to exceed \$18,000,000 to finance the firehouse project and the solid waste facility project

SPECIAL ORDINANCE NO. 9, 2021 – authorizes the City to execute certain leases with the Indianapolis-Marion County Building Authority for the Coroner Project and Circle City Forward Projects, including forensics crime lab, new juvenile justice facility, animal care shelter, Frederick Douglass Park family center and playground projects

SPECIAL ORDINANCE NO. 10, 2021 – authorizes the issuance of Economic Development Tax Increment Revenue Bonds in a maximum aggregate principal amount not to exceed \$3,750,000 to 1820 Ventures, LLC, for the Elevator Hill Phase I project, located in the Elevator Hill Expansion Allocation Area at approximately 1117 E. Market Street (District 17)

SPECIAL ORDINANCE NO. 11, 2021 – authorizes the issuance of Economic Development Tax Increment Revenue Bonds in a maximum aggregate principal amount not to exceed \$8,660,000 to TWG Development, LLC, for the Rise on Meridian project located in the South Meridian Allocation Area at approximately 915 South Meridian Street (District 16)

GENERAL RESOLUTION NO. 10, 2021 – approves and authorizes the execution of an Interlocal Agreement for the Indianapolis Fire Department (IFD) to provide fire protection and prevention services to excluded city, Beech Grove, Indiana for a fee, in order to provide efficiencies for both the City and Beech Grove

GENERAL RESOLUTION NO. 11, 2021 – authorizes the City of Indianapolis, acting through the Marion County Stormwater Management District, to finance the planning, design, construction, and inspection of channels, culverts, levees and dams, stewardship, studies, and water quality projects, and to issue up to \$50 Million of revenue bonds, in one or more series, and if necessary, interim financing notes, and approves and authorizes other actions in respect thereto

GENERAL RESOLUTION NO. 12, 2021 – approves revisions to the City of Indianapolis and Marion County's membership in the Public Employees' Retirement Plan administered by the Public Retirement System to revise, effective January 1, 2022, membership options for new city and county employees and employees that transfer between City agencies/offices/departments and County agencies/offices/departments, to allow those employees the choice of the PERF Hybrid or the PERF MyChoice: Retirement Savings Plan; and, to amend the default provision for failing to select a specific plan within sixty(60) days of employment to the PERF Hybrid Plan

GENERAL RESOLUTION NO. 13, 2021 - approves the statement of benefits of Micronutrients USA, LLC, an applicant for tax abatement for property located in an economic revitalization area

s/Joseph H. Hogsett, Mayor

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 Journals of September 13, 2021. There being no additions or corrections, the minutes were approved as distributed.

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

Councillor Jackson reported that the Community Affairs Committee heard Proposal Nos. 247, 248, and 263, 2021 on September 22, 2021.

PROPOSAL NO. 247, 2021. The proposal, sponsored by Councillor Jackson, appoints Julie Burns to the Indianapolis Community Food Access Advisory Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Jackson moved, seconded by Councillor Adamson, for adoption. Proposal No. 247, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 247, 2021 was retitled COUNCIL RESOLUTION NO. 85, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 85, 2021

A COUNCIL RESOLUTION appointing Julie Burns to the Indianapolis Community Food Access Advisory Commission.

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 Indianapolis Community Food Access Advisory Commission, fulfilling the member of a community organization requirement, the Council appoints:

Julie Burns

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies.

PROPOSAL NO. 248, 2021. The proposal, sponsored by Councillor Jackson, appoints Sharrona Moore to the Indianapolis Community Food Access Advisory Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Jackson moved, seconded by Councillor Adamson, for adoption. Proposal No. 248, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 248, 2021 was retitled COUNCIL RESOLUTION NO. 86, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 86, 2021

A COUNCIL RESOLUTION appointing Sharrona Moore to the Indianapolis Community Food Access Advisory Commission.

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

September 27, 2021

SECTION 1. As a member of the Indianapolis Community Food Access Advisory Commission, fulfilling the farmer requirement, the Council appoints:

Sharrona Moore

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies.

PROPOSAL NO. 263, 2021. The proposal, sponsored by Councillor Jackson, appoints Laura Dodds to the Indianapolis Community Food Access Advisory Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Jackson moved, seconded by Councillor Adamson, for adoption. Proposal No. 263, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 263, 2021 was retitled COUNCIL RESOLUTION NO. 87, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 87, 2021

A COUNCIL RESOLUTION appointing Laura Dodds to the Indianapolis Community Food Access Advisory Commission.

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 Indianapolis Community Food Access Advisory Commission, fulfilling the farmer requirement, the Council appoints:

Laura Dodds

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

PROPOSAL NO. 299, 2021. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 299, 2021 on September 23, 2021. The proposal, sponsored by Councillor Osili, reappoints Richard Wilson, Jr. to the Indianapolis Public Transportation Corporation Board of Directors. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Adamson, for adoption. Proposal No. 299, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 299, 2021 was retitled COUNCIL RESOLUTION NO. 88, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 88, 2021

A COUNCIL RESOLUTION reappointing Richard Wilson, Jr. to the Indianapolis Public Transportation Corporation Board of Directors.

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 Indianapolis Public Transportation Corporation Board of Directors, the Council reappoints:

Richard Wilson, Jr.

SECTION 2. The appointment made by this resolution is for a term ending August 5, 2025. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 316, 2021. Introduced by Councillors Gray, Carlino, Evans, Barth, Potts, Graves, Adamson and Brown. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves the issuance of: (a) "Indianapolis-Marion County Public Library General Obligation Bonds (Fort Benjamin Harrison Branch Facility Improvement Project)" in an original aggregate principal amount not to exceed Thirteen Million Six Hundred Sixty Thousand Dollars (\$13,660,000), for the purpose of financing all or any portion of the Fort Benjamin Harrison Branch Facility Improvement Project; and (b) "Indianapolis-Marion County Public Library General Obligation Bonds (Glendale Branch Facility Improvement Project)" in an original aggregate principal amount not to exceed Fourteen Million Eight Hundred Fifty Thousand Dollars (\$14,850,000), for the purpose of financing all or any portion of the Glendale Branch Facility Improvement Project"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 317, 2021. Introduced by Councillors Gray, Carlino, Evans, Barth, Potts, Graves, Adamson and Brown. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves the appropriation of \$14,300,000 for the Fort Benjamin Harrison Branch Facility Improvement Project and \$15,500,000 for the Glendale Branch Facility Improvement Project. The appropriations are for bond proceeds and related investment earnings of: (a) "Indianapolis-Marion County Public Library General Obligation Bonds (Fort Benjamin Harrison Branch Facility Improvement Project)" in an original aggregate principal amount not to exceed Thirteen Million Six Hundred Sixty Thousand Dollars (\$13,660,000), for the purpose of financing all or any portion of the Fort Benjamin Harrison Branch Facility Improvement Project; and (b) "Indianapolis-Marion County Public Library General Obligation Bonds (Glendale Branch Facility Improvement Project)" in an original aggregate principal amount not to exceed Fourteen Million Eight Hundred Fifty Thousand Dollars (\$14,850,000), for the purpose of financing all or any portion of the Glendale Branch Facility Improvement Project"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 318, 2021. Introduced by Councillors Oliver and Hart. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes interest in purchasing real estate at 7240 Dewey Avenue for purposes of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 319, 2021. Introduced by Councillors Potts and Barth. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes interest in purchasing real estate at 6379 North College Avenue by the Indianapolis Fire Department for the purpose of establishing a new Station 32"; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 321-328, 2021 and PROPOSAL NO. 329, 2021. Introduced by Councillor Lewis. Proposal Nos. 321-328, 2021 and Proposal No. 329, 2021 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on September 15 and 16, 2021, respectively. 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. 99-107, 2021, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 99, 2021.
2021-ZON-047
5244 SHELBYVILLE ROAD (*APPROXIMATE ADDRESS*)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #18
SACKSTEDER PROPERTIES LLC, by Joseph D. Calderon
Rezoning of three acres from the D-A district to the D-P district to provide for 18 total dwelling units with nine, two-family dwellings for a density of six units per acre.

REZONING ORDINANCE NO. 100, 2021.
2021-ZON-058
2127 COLUMBIA AVENUE (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
JEROME LAHLOU, by Sarah Walters
Rezoning of 0.13 acre from the I-3 district to the D-8 district.

REZONING ORDINANCE NO. 101, 2021.
2021-ZON-065
4409, 4411 AND 4417 CAROLINE STREET (*APPROXIMATE ADDRESSES*)
WASHINGTON TOWNSHIP, COUNCIL DISTRICT #9
JASON TRESSLER, BY MARK AND KIM CROUCH
Rezoning of 0.39 acre from the D-5 (W-1) district to the D-8 (W-1) district.

REZONING ORDINANCE NO. 102, 2021.
2021-ZON-074
2305 NORTH SHADELAND AVENUE (*APPROXIMATE ADDRESS*)
WARREN TOWNSHIP, COUNCIL DISTRICT #13
DIONE M METNICK AS TRUSTEE OF THE ROBERT B JOHNSON RETAINED UNITRUST AND
DIONE M METNICK AS TRUSTEE OF THE MARY K JOHNSON RETAINED UNITRUST, by David
Kingen and Emily Duncan
Rezoning of 1.95 acres from the C-S district to the C-4 district.

REZONING ORDINANCE NO. 103, 2021.
2021-ZON-076
1463, 1502, 1505 AND 1518 RENTON STREET, 1591 BARRINGTON AVENUE, 2400 AND 2410 EAST
MINNESOTA STREET AND 1719 ZWINGLEY STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #21
MILLENNIA HOUSING DEVELOPMENT LTD, by Jeffrey Zinsmayer
Rezoning of 16.618 acres from the I-4, C-1 and D-5 districts to the D-6II district.

REZONING ORDINANCE NO. 104, 2021.
2021-ZON-086
1735 WEST EDGEWOOD AVENUE (APPROXIMATE ADDRESS)
PERRY TOWNSHIP, COUNCIL DISTRICT #20
GND PROPERTY INC., by David Kingen and Emily Duncan
Rezoning of 2.29 acres from the I-2 (FF) district to the I-3 (FF) district.

REZONING ORDINANCE NO. 105, 2021.
2021-CZN-831
9700 AND 10010 PENTECOST ROAD (APPROXIMATE ADDRESSES)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #25
THESSALONICA, INC, by David A. Retherford
Rezoning of six acres from the D-A (FF) district to the D-5II (FF) district.

REZONING ORDINANCE NO. 106, 2021.
2021-CZN-844
1021 HARRISON STREET (APPROXIMATE ADDRESS)
CENTER TOWNSHIP, COUNCIL DISTRICT #16
RAF REAL ESTATE LLC, by Jynell D. Berkshire
Rezoning of 0.23 acre from the I-4 district to the D-8 district.

REZONING ORDINANCE NO. 107, 2021.
2021-ZON-048
7610 WEST COUNTY LINE ROAD (APPROXIMATE ADDRESS)
DECATUR TOWNSHIP, COUNCIL DISTRICT #20
D.R. HORTON - INDIANAPOLIS, by Brian J. Tuohy
Rezoning of 165 acres from the D-A and UQ-1 districts to the D-P district to provide for a maximum of 400 single-family and two-family dwelling units at a density of 2.42 units per acre.

SPECIAL ORDERS - PUBLIC HEARING

General Counsel Toae Kim read the following:

As we move to the public comment portion of debate for these proposals, we would like to remind council members and the public of a few ground rules. In order for everyone to have a fair chance to speak and be heard, it is important that we each observe the following rules:

First, each speaker will be limited to two minutes. Second, any public comments must reasonably relate to the agenda item under consideration. Third, speakers who stray from the item under consideration or become unduly repetitious may be asked to move on to their next point or conclude their comments. Finally, attendees who cause disruptions that prevent the Council from proceeding through today's agenda in a reasonably efficient manner will be removed.

Please remember that some types of threatening speech or incitement to violence are not protected by the First Amendment at all. We will deal with those issues if they come up, but we don't think they will.

And now, Mr. President, if a council member asks for consent to adopt these rules, we can proceed to public comments.

President Osili called for consent to adopt these rules for public comment, and the rules were adopted by a unanimous voice vote.

**COMMITTEE OF THE WHOLE COUNCIL
PUBLIC TESTIMONY – BUDGET ORDINANCES**

Combined Budgets of City and County Government Departments and Agencies: PROPOSAL NO. 264, 2021 approves the tax levy and rate for the Police Special Service District for 2022. PROPOSAL NO. 265, 2021 approves the tax levy and rate for the Fire Special Service District for 2022. PROPOSAL NO. 266, 2021 approves the tax levy and rate for the Solid Waste Collection Special Service District for 2022. PROPOSAL NO. 267, 2021 adopts the annual budget for the City of Indianapolis and Marion County for 2022.

The President called for public testimony at 7:28 p.m. No one was present to testify.

PROPOSAL NO. 300, 2021 adopts the operating and maintenance budgets and tax levies of the Indianapolis Airport Authority and establishes appropriations for said municipal corporation for 2022.

The President called for public testimony at 7:28 p.m. No one was present to testify.

PROPOSAL NO. 301, 2021 adopts the operating and maintenance budgets and tax levies of the Capital Improvement Board of Managers and establishes appropriations for said municipal corporation for 2022.

The President called for public testimony at 7:29 p.m. No one was present to testify.

PROPOSAL NO. 302, 2021 adopts the operating and maintenance budgets and tax levies of the Health and Hospital Corporation and establishes appropriations for said municipal corporation for 2022.

The President called for public testimony at 7:30 p.m. No one was present to testify.

PROPOSAL NO. 303, 2021 adopts the operating and maintenance budgets and tax levies of the Indianapolis-Marion County Public Library and establishes appropriations for said municipal corporation for 2022.

The President called for public testimony at 7:30 p.m. No one was present to testify.

PROPOSAL NO. 304, 2021 adopts the operating and maintenance budgets and tax levies of the Indianapolis Public Transportation Corporation (IndyGo) and establishes appropriations for said municipal corporation for 2022.

The President called for public testimony at 7:31 p.m. No one was present to testify.

PROPOSAL NO. 292, 2021. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 292, 2021 on September 23, 2021. The proposal, sponsored by Councillors Gray, Carlino, J. Evans, Barth, Potts, Adamson, Graves and Brown, approves the issuance of Indianapolis-Marion County Public Library general obligation bonds, Series 2021C, in an aggregate principal amount not to exceed \$5,575,000 for the purpose of financing all or any portion of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project to improve patron experience and provide better access to information. By a 5-

0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:32 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Lewis, for adoption. Proposal No. 292, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 292, 2021 was retitled SPECIAL ORDINANCE NO. 12, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 2021

A SPECIAL ORDINANCE approving the issuance of “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2021C” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000).

WHEREAS, on August 23, 2021, the Library Board (the “Library Board”) of the Indianapolis-Marion County Public Library, Indiana (the “Public Library”), adopted Resolution 35-2021 authorizing the issuance of one or more series of general obligation bonds of the Public Library anticipated to be designated as the “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2021C” (collectively, the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds”), in original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), for the purpose of procuring funds to pay for (a) all or a portion of (i) the renovation, remodeling and/or facility upgrades at one or more existing facilities operated by the Public Library, including, but not limited to, the existing Pike Branch and the existing Nora Branch, (ii) the installation of solar panels and other energy conservation measures at one or more of the existing facilities operated by the Public Library, (iii) the acquisition of equipment, computers (including children-based computers), related technology equipment, furniture and collection materials for use in one or more of the facilities operated by the Public Library, and (iv) one or more projects related to any portion of the projects listed in clause (i) through and including (iii), all of which will be done in 2021 and 2022, and (b) all of the costs related to any of the foregoing projects, including, but not limited to, the costs of issuance related to the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds (clauses (a) and (b), collectively, the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project”); and

WHEREAS, the Library Board has requested the approval of the City-County Council of the issuance of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, pursuant to IC § 36-3-6-9(c), as amended, and the City-County Council now finds that the issuance of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds should be approved; now, therefore:

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

SECTION 1. For the purpose of providing funds for the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project, including, but not limited to, the costs of the issuance of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, the City-County Council does hereby approve the issuance of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds in one or more series, as general obligation bonds of the Public Library, anticipated to be designated as “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2021C,” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), bearing interest at a rate or rates not to exceed three percent (3.00%) and having a final maturity no later than five (5) years from the date such 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds are issued.

SECTION 2. Any and all prior actions taken by any officer of the Public Library, the City or any member of the Library Board or the City-County Council in connection and consistent with this ordinance is hereby ratified and approved.

September 27, 2021

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

PROPOSAL NO. 293, 2021. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 293, 2021 on September 23, 2021. The proposal, sponsored by Councillors Gray, Carlino, J. Evans, Barth, Potts, Adamson, Graves and Brown, approves the appropriation of the bond proceeds and investment earnings of the Indianapolis-Marion County Public Library general obligation bonds, Series 2021C, in an aggregate principal amount not to exceed \$5,575,000 for the purpose of financing all or any portion of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project to improve patron experience and provide better access to information. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:33 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Adamson, for adoption. Proposal No. 293, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 293, 2021 was retitled SPECIAL ORDINANCE NO. 13, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 2021

A SPECIAL ORDINANCE approving the appropriation of proceeds and investment earnings thereon of “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2021C” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000) for the purpose of financing all or any portion of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project.

WHEREAS, on August 23, 2021, the Library Board (the “Library Board”) of the Indianapolis-Marion County Public Library, Indiana (the “Public Library”), adopted Resolution 35-2021 (the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Resolution”) authorizing the issuance of one or more series of general obligation bonds of the Public Library anticipated to be designated as the “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2021C” (collectively, the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds”), in original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), for the purpose of procuring funds to pay for (a) all or a portion of (i) the renovation, remodeling and/or facility upgrades at one or more existing facilities operated by the Public Library, including, but not limited to, the existing Pike Branch and the existing Nora Branch, (ii) the installation of solar panels and other energy conservation measures at one or more of the existing facilities operated by the Public Library, (iii) the acquisition of equipment, computers (including children-based computers), related technology equipment, furniture and collection materials for use in one or more of the facilities operated by the Public Library, and (iv) one or more projects related to any portion of the projects listed in clause (i) through and including (iii), all of which will be done in 2021 and 2022, and (b) all of the costs related to any of the foregoing projects, including, but not limited to, the costs of issuance related to the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds (clauses (a) and (b), collectively, the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project”); and

WHEREAS, on August 23, 2021, the Library Board adopted Resolution 37-2021, appropriating a sum not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), out of the proceeds of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, together with all investment earnings thereon, for the purpose of paying all or a portion of the costs of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project; and

WHEREAS, the Library Board has requested the approval of the City-County Council, pursuant to IC § 6-1.1-18-5(j), as amended, of the approval of the additional appropriation of the proceeds of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds and investment earnings thereon in an amount not to exceed \$5,575,000 for the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project, and the City-County Council now finds that the appropriation set forth above should be approved; and

WHEREAS, notice of a hearing on said appropriation has been published as required by law; and

WHEREAS, such public hearing on said appropriation has been held on the date hereof at this location and prior to consideration of this Ordinance at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the appropriation of a sum not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000) out of the proceeds of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds together with all investment earnings (the “2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Appropriation”), all of which sum shall be for the use of the Public Library in paying all or a portion of the costs of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project.

SECTION 2. The 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Appropriation shall be in addition to all appropriations provided for in the existing budget and levy of the Public Library, and shall continue in effect until the completion of the 2021-2022 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project. Any surplus of such proceeds shall be credited to the proper fund as required by law.

SECTION 3. Any and all prior actions taken by any officer of the Public Library, the City or any member of the Library Board or the City-County Council in connection and consistent with this ordinance, including, but not limited to, publication of the notice of the public hearing held on the date hereof, is hereby ratified and approved.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

PROPOSAL NO. 294, 2021. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 294, 2021 on September 23, 2021. The proposal, sponsored by Councillors Gray, Carlino, Evans, Barth, Potts, Adamson, Graves and Brown, approves the issuance of Indianapolis-Marion County Public Library general obligation bonds, Series 2022, in an aggregate principal amount not to exceed \$5,575,000 for the purpose of financing all or any portion of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project to improve patron experience and provide better access to information. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor E. Evans asked if this will go into effect the end of 2022 and then be paid through 2023. Ijeoma Dike-Young, Indianapolis-Marion County Public Library, said that the bonds will be sold in 2022 or 2023, and they will receive the bond proceeds at that time, which will then initiate a repayment period of approximately two years.

The President called for public testimony at 7:36 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Adamson, for adoption. Proposal No. 294, 2021 was adopted on the following roll call vote; viz:

September 27, 2021

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 294, 2021 was retitled SPECIAL ORDINANCE NO. 14, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 2021

A SPECIAL ORDINANCE approving the issuance of “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2022” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000).

WHEREAS, on August 23, 2021, the Library Board (the “Library Board”) of the Indianapolis-Marion County Public Library, Indiana (the “Public Library”), adopted Resolution 36-2021 authorizing the issuance of one or more series of general obligation bonds of the Public Library anticipated to be designated as the “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2022” (collectively, the “2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds”), in original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), for the purpose of procuring funds to pay for (a) all or a portion of (i) the renovation, remodeling and/or facility upgrades at one or more existing facilities operated by the Public Library, including, but not limited to, the existing Garfield Park Branch and the existing Library Services Center, (ii) the renovation, remodeling and/or facility upgrades at the existing Central Library, including but not limited to, the Central Atrium and the Learning Curve, (iii) the installation of solar panels and other energy conservation measures at one or more of the existing facilities operated by the Public Library, (iv) the acquisition of equipment, one or more generators for the Library Services Center server room, a district-wide door counter system, related technology equipment, furniture and collection materials for use in one or more of the facilities operated by the Public Library, and (v) one or more projects related to any portion of the projects listed in clause (i) through and including (iv), all of which will be done in 2022 and 2023, and (b) all of the costs related to any of the foregoing projects, including, but not limited to, the costs of issuance related to the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds (clauses (a) and (b), collectively, the “2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project”); and

WHEREAS, the Library Board has requested the approval of the City-County Council of the issuance of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, pursuant to IC § 36-3-6-9(c), as amended, and the City-County Council now finds that the issuance of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds should be approved; now, therefore:

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

SECTION 1. For the purpose of providing funds for the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project, including, but not limited to, the costs of the issuance of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, the City-County Council does hereby approve the issuance of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds in one or more series, as general obligation bonds of the Public Library, anticipated to be designated as “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2022,” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), bearing interest at a rate or rates not to exceed three percent (3.00%) and having a final maturity no later than five (5) years from the date such 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds are issued.

SECTION 2. Any and all prior actions taken by any officer of the Public Library, the City or any member of the Library Board or the City-County Council in connection and consistent with this ordinance is hereby ratified and approved.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

PROPOSAL NO. 295, 2021. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 295, 2021 on September 23, 2021. The proposal, sponsored by Councillors

Gray, Carlino, J. Evans, Barth, Potts, Adamson, Graves and Brown, approves the appropriation of proceeds and investment earnings of the Indianapolis-Marion County Public Library general obligation bonds, Series 2022, in an aggregate principal amount not to exceed \$5,575,000 for the purpose of financing all or any portion of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project to improve patron experience and provide better access to information. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:38 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Lewis, for adoption. Proposal No. 295, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 295, 2021 was retitled SPECIAL ORDINANCE NO. 15, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 2021

A SPECIAL ORDINANCE approving the appropriation of proceeds and investment earnings thereon of “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2022” in an original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000) for the purpose of financing all or any portion of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project.

WHEREAS, on August 23, 2021, the Library Board (the “Library Board”) of the Indianapolis-Marion County Public Library, Indiana (the “Public Library”), adopted Resolution 36-2021 (the “2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Resolution”) authorizing the issuance of one or more series of general obligation bonds of the Public Library anticipated to be designated as the “Indianapolis-Marion County Public Library General Obligation Bonds, Series 2022” (collectively, the “2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds”), in original aggregate principal amount not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), for the purpose of procuring funds to pay for (a) all or a portion of (i) the renovation, remodeling and/or facility upgrades at one or more existing facilities operated by the Public Library, including, but not limited to, the existing Garfield Park Branch and the existing Library Services Center, (ii) the renovation, remodeling and/or facility upgrades at the existing Central Library, including but not limited to, the Central Atrium and the Learning Curve, (iii) the installation of solar panels and other energy conservation measures at one or more of the existing facilities operated by the Public Library, (iv) the acquisition of equipment, one or more generators for the Library Services Center server room, a district-wide door counter system, related technology equipment, furniture and collection materials for use in one or more of the facilities operated by the Public Library, and (v) one or more projects related to any portion of the projects listed in clause (i) through and including (iv), all of which will be done in 2022 and 2023, and (b) all of the costs related to any of the foregoing projects, including, but not limited to, the costs of issuance related to the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds (clauses (a) and (b), collectively, the “2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project”); and

WHEREAS, on August 23, 2021, the Library Board adopted Resolution 38-2021, appropriating a sum not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000), out of the proceeds of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds, together with all investment earnings thereon, for the purpose of paying all or a portion of the costs of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project; and

WHEREAS, the Library Board has requested the approval of the City-County Council, pursuant to IC § 6-1.1-18-5(j), as amended, of the approval of the additional appropriation of the proceeds of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds and investment earnings thereon in an amount not to exceed \$5,575,000 for the 2022-2023 Energy Conservation and District-Wide Long-Term Capital

September 27, 2021

Maintenance and Equipping Project, and the City-County Council now finds that the appropriation set forth above should be approved; and

WHEREAS, notice of a hearing on said appropriation has been published as required by law; and

WHEREAS, such public hearing on said appropriation has been held on the date hereof at this location and prior to consideration of this Ordinance at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the appropriation of a sum not to exceed Five Million Five Hundred Seventy-Five Thousand Dollars (\$5,575,000) out of the proceeds of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Bonds together with all investment earnings (the "2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Appropriation"), all of which sum shall be for the use of the Public Library in paying all or a portion of the costs of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project.

SECTION 2. The 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project Appropriation shall be in addition to all appropriations provided for in the existing budget and levy of the Public Library, and shall continue in effect until the completion of the 2022-2023 Energy Conservation and District-Wide Long-Term Capital Maintenance and Equipping Project. Any surplus of such proceeds shall be credited to the proper fund as required by law.

SECTION 3. Any and all prior actions taken by any officer of the Public Library, the City or any member of the Library Board or the City-County Council in connection and consistent with this ordinance, including, but not limited to, publication of the notice of the public hearing held on the date hereof, is hereby ratified and approved.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

PROPOSAL NO. 315, 2021. The proposal, sponsored by Councillor Lewis, is a rezoning ordinance for Center Township, District 17, 2216 and 2228 North College Avenue (2021-CZN-817) certified for DENIAL by the Metropolitan Development commission on August 24, 2021. The proposal was called out for public hearing by Councillor Adamson on September 13, 2021. No resolution was reached during a preliminary hearing, making a public hearing at this meeting necessary. President Osili outlined the guidelines and schedule for public hearing on a rezoning matter and called on Councillor Adamson for opening comments.

Councillor Adamson said that there has been a lot of dialogue and compromise with this proposal already, but some residents still continue to oppose this development and therefore, he called the proposal down to encourage all voices to still be heard. He said that he has also heard from residents in the district about how more safe affordable housing spurs economic growth in the community and how they support the project. He said that he feels the developers have made a good faith attempt to meet the needs of the community, but he wanted the full Council to also be willing to hear remaining legitimate concerns of some of the neighbors.

President Osili called on the petitioners to begin their presentation. Eric Armstrong, petitioner, said that this location was recommended by the Indianapolis Neighborhood Housing Partnership (INHP) as a good property for the Citizens' Park affordable housing project. He said that they have worked with the neighborhood's residents and businesses to refine commitments and site plans over and over. They have pledged to change the access point to College Avenue instead of the alley, which the Fall Creek Homeowners' Association (HOA) Board supports, to alleviate the impact on parking with design changes. He said that some neighbors still feel 38 units are too many for this site, but he feels they are short-sighted in thinking that only single homes would be

appropriate or useful on this property. He said that this project will help individuals remain close to their workplace, while providing other resources like INHP, Dress for Success, and RenewIndy close by. David Kingen, attorney for the petitioner, said that they propose to rezone this site to multi-use, with a small amount for commercial uses, but the rest of it for affordable housing. Currently, the site features two vacant commercial buildings, two apartment buildings, and one warehouse. Fifteen commitments have been offered to the neighbors based on discussions with various individuals and groups. They have committed to only 14 possible uses for the commercial space, and have garnered a great deal of support from area businesses and the Fall Creek HOA, as well as the Department of Metropolitan Development (DMD) planning staff. Mike Halstead, architect for the project, said that they started the project with 68 units, four stories, and access from the west alley. Based on input from neighbors, they revised it to 58 apartments, access from College Avenue, and commercial uses along the east side of the site facing College, with a setback. The latest revision has been reduced to 38 units, three stories, set back from the alley, with the only thing on the alley is one-story parking. The garage can only be accessed from College Avenue with the new plans, exiting to the south from the parking garage. The unique design includes an enclosed parking garage, a second floor patio and deck, and landscaping along College Avenue to attract the right kind of commercial business, such as restaurants or coffee shops. He said that they are happy to continue to work with staff, the HOA and neighbors to provide a quality development. Chris Kora, resident of Fall Creek Place and president of the Fall Creek HOA Board, said that the HOA Board unanimously supports the project, once the garage access from the alley was changed. He said that good, safe, clean affordable housing is needed in this neighborhood. John Thompson, owner of Thompson Distribution Company (a pipe and supply company located across the street from the proposed site), said that the neighborhood has changed a lot since he first located his business there. Most low-income residents were forced out of the area because of the lack of affordable housing. He said that this is a nice design, consistent with development on the east side of the street, and it would be good to see lower-income individuals and families benefit from such a project. Anthony McDaniel, Grace Apostolic Church, said that the church has been a staple in this community for 58 years, and he grew up in this neighborhood since he was one month and six days old. The area has transitioned, but the community has a very special value. He said that he supports low-income housing opportunities for greater inclusiveness for this community; and this project would be a great benefit. Johan Mench, resident, stated that her mom was a single mom and an immigrant from Poland, and they struggled financially growing up, as housing became increasingly costly. Because they were able to find affordable housing, they were able to dream big, allowing him to attend law school and receive a great education. He said that he owes that success to an affordable housing development placed in a great community near great schools. He said that those who oppose the project are using density as their argument, saying that other housing types cannot be integrated into this neighborhood. He said that this is not true, and this is a very walkable neighborhood with varied housing types; and he welcomes the residents such a development would bring. Ashley Williams, single mom with two children, stated that she used to live in a two-bedroom apartment where she paid \$950 a month. When she aged out of affordable housing, the same size apartment cost \$1500 a month. She said that she could not have afforded this housing when she needed it most if affordable housing had not been available to her. It also provided access to the bus system, because she did not have a car; and her kids loved living near downtown and being able to walk and bike to venues and events there. She said that they could not have done that without affordable housing opportunities. She said that Mr. Armstrong has been open and willing to accept some of her suggestions to make the project better, and adding more opportunities like this give those who need it, a leg up.

President Osili called on remonstrators to begin their presentation. Heidi Kent, resident, stated that she supports affordable housing, but the size of this project is not good for this particular space. She said that the Metropolitan Development Commission (MDC) denied the petition, because this

space calls for a traditional five to 15 units per acre, and the number of units being proposed is three times that. She said that there is mostly residential housing on her block, and the height should gradually transition from the existing development no more than two times the footprint of the existing height. Yet this building is massive compared to the surrounding houses and apartments, when it should blend in. She said that 31,066 square feet is six times what the current plan deems appropriate for this space, and this development would tower over everything surrounding it. She said that she is perplexed why Councillor Adamson would question the MDC's decision, when they are protecting the neighbors with this denial. She said that they are not saying no to affordable housing, but the size of this is too big for this space. She said that the Council would be setting bad precedent to ignore the MDC's input. She said that they currently have apartments in this corridor with lots of vacancy for those making less than \$40,000. She said that this is an obnoxious development in this area, but the petitioner is not interested in making the changes they are asking for because they would not allow them to make enough money on the project. Princess Gamby, resident, said that she has always been in affordable housing, and is a child of Section 8. She added that she is blessed to now have a home thanks to Habitat for Humanity; but bringing this apartment building behind her home in her back yard would cause her to have to give up her affordable housing. She added that the development would not be ideal for families with children, as their front yard would be heavily travelled like a highway, and the back of the building has no windows on the side by the alley. The only park is four blocks down along a heavily trafficked street, and this is not what the current children in the neighborhood, nor new resident children, need. She said that they are proposing a playground on the second floor, but children have nowhere to ride bikes. She said that she supports affordable housing, but maybe they should consider more Habitat for Humanity homes. However, this developer is more about profit than about giving people a better quality of life. Samantha DeWester, resident and attorney for the remonstrators, said that this project would have 125 residents stacked up high, with two-bedroom units with under 900 square feet of space. She said what kind of quality of life would that provide by cramming so many people into small spaces. She said that these lots are being bought for \$205,000 each, and the developer would be blowing \$615,000 to put affordable housing in, and it would not be profitable for them. Ms. DeWester said that she has not seen any of these individuals the petitioner has paraded down here this evening at any prior hearings. She said that the petitioners are not residents, but the remonstrators live in this neighborhood. There are lots of accidents along this stretch of College Avenue and it is not okay to cram poor people into small apartments. She added that Mr. Armstrong has never done a project in his life, and certainly not one of this size. She said that this project does not need to go in this space. She said that 27 children already live in this one-block area with traffic that speeds along College and lots of opportunities for a disaster. She said that this project has no green space, area to walk a dog, or place for kids to play safely. The nearest grocery store is 6 ½ blocks away, and the two bus lines do not go that way, but go north and west. She said that they should instead rehab existing apartments instead of creating a project that will segregate the health of their neighborhood.

President Osili called for public testimony at 8:22 p.m. from any individuals not associated with either the petitioner or remonstrator. There was no one in attendance to testify.

Councillor Adamson asked if DMD staff is available to explain the staff's position. Kathleen Blackham, senior planner, DMD, said that the staff did support the project and believes it is consistent with the comprehensive plan. Traditional neighborhoods include the full spectrum of housing types, from single homes to large-scale multi-housing projects. Traditional neighborhoods also provide for some commercial. The density is a bit high, but the plan provides for even higher density allowances if the project is within a quarter mile of a transit way or greenway or park; and this project fits that criteria for both. With regard to the size of the project, staff feels the size is appropriate for a primary arterial street, and believes it is compatible with the surrounding area.

Councillor Mowery asked where the closest grocery store is located. Ms. Blackham said that there is a Kroger located just one block west and a few blocks south of this site at 16th and Central. This site is at 22nd Street and the Kroger is located on 16th Street.

President Osili asked the Clerk to give the remaining time for each side's rebuttal. Clerk Hughes responded that the Petitioner has three seconds remaining and the remonstrator has 30 seconds remaining. President Osili asked for consent to give each side five minutes for rebuttal. Consent was given.

Councillor Gray asked what the difference is between affordable housing and workforce housing. Mr. Armstrong said that workforce housing is not Section 8. In a household of one, the annual income cap would be \$34,000, and \$40,000 for a household of two or more. Affordable housing is applied as credit for housing without employment. Workforce housing, they have to be work-eligible, but the rate is reduced based on the amount they are earning. Anything under \$34,000 would qualify for a one-bedroom; and anything under \$40,000 would qualify for a two-bedroom.

The Petitioners elected not to present a rebuttal.

Ms. DeWester said that this issue is not about affordable housing, but is about money. No one cares about the quality of life of the neighbors or the tenants who will move into this development. The price of the property has been way inflated, and while the petitioner owns a house in the area, he does not live there and runs that house as a boarding house, and it is an eyesore. She said that a building at the northwest corner of this site had to be demolished because a car ran through it. She said that it is curious to hear that positions have changed after several hearings on the record where the project was opposed. The city planner would not agree prior unless they changed the access on the alley, but now after meetings following an MDC denial, it seems they think it is now a great location, when they were not in favor of the project before. She said that this is an embarrassment, and they are not serving the constituency in that district who votes for them. She said that she has gathered tons of data, and there are empty apartment buildings nearby with many vacant units, including a RenewIndy vacancy down the street with affordable housing vacancies. She said that some residents have already started listing their houses for sale in anticipation of this project. She asked that the Council not overturn the MDC's decision, and affirm their recommendation of a denial of this rezoning.

Councillor Hart asked the price of rents. Mr. Armstrong said that they range from \$650 for a one-bedroom to \$950 for a two-bedroom. When the tenant exceeds the income cap, they can continue to rent for more, and it will escalate based on area median incomes (AMI) and affordable housing rates. Councillor Hart asked what market rate units would be in this area. Mr. Armstrong said that it would be \$925 for one-bedroom and \$1400 for a two-bedroom. Councillor Hart said that creating more and more affordable housing in downtown Indianapolis is creating a cycle for people to get stuck in. Once they receive a raise at work, the rent then jumps up to an amount they still cannot afford, and it seems to set people up to fail. Councillor Hart said that they should be working to get people into a place for home ownership. If they keep building apartment complexes, then they cannot lease them out and have too many vacant units, again, causing rents to increase. He said that 125 people on one acre only leaves about 340 square feet per person, which is pretty confined. He said that this is not the quality of life they should be aiming for for their residents, and they should instead follow the MDC's guidelines.

Councillor Annee asked Mr. Armstrong if he lives in this neighborhood. Mr. Armstrong said that he bought a house in the area in 2011, but moved into an apartment in 2020; however, he does own

a home in this neighborhood. He said that he does have property developments with multiple units, but this is his first large multi-unit development. Councillor Annee asked if he is concerned about starting off development projects so poorly with neighbors and asked why he is pushing to overturn the denial. Mr. Armstrong said that they have been working the INHP on a project at 38th Street, and they faced some of the same push-back from neighbors, but in that instance, after meeting with neighbors, they found common ground. He said that they have gotten support from the HOA and have done everything they feel they can to meet the neighbors' demands within reason.

Councillor Mowery said that he has concerns that the petitioner might have gotten in a little over his head with regard to feasibility if he has not done anything to this scale to-date. He is concerned, that like the GM Stamping Plant, he will not be able to fulfill the needs of the project.

Councillor E. Evans asked about the sliding scale, and if the tenants increase their income if the rent will increase slowly or immediately. Mr. Armstrong said that it will be run by a property management company, and if an individual passes the earning threshold, they would have a period of time before that rent increases. They would also work with INHP to identify other places in the area if the tenant can not afford the market value. Councillor E. Evans said that houses near 23rd and College are going for \$250,000 to \$300,000. Individuals making \$40,000 a year cannot afford that type of house.

Councillor Adamson said that his hope was for this body to hear from both sides. He said that the decision is clear to him, as this project would provide safe affordable housing for District 17. The petitioner has worked in good faith to address the neighbors' concerns and has made multiple design changes and concessions. The MDC acknowledged that affordable housing is appropriate for this neighborhood, but the reason for their opposition was that design changes were not finished in time to submit to the MDC. He said that he feels this project will respond to the lack of affordable housing, as well as equity. Councillor Adamson made the following motion:

Mr. President:

For the reasons I have already stated, I move that the Council overturn the Metropolitan Development Commission's decision regarding Proposal No. 315, 2021, Rezoning Case 2021-CZN-817, thereby approving the petition.

Councillor Lewis seconded the motion.

President Osili stated that according to State law, a three-fifths majority vote, which is 15 votes, is required to overturn any zoning decision certified to the Council by the Metropolitan Development Commission. Any vote less than 15 shall be declared as indecisive, and the proposal shall stand denied pursuant to IC 36-7-4-608 (c) (3). Based upon Councillor Adamson's motion, a "yea" vote will be a vote to OVERTURN the MDC's decision and approve the petition, allowing it to pass into law. A "nay" vote will be a vote to uphold the MDC's decision and deny the petition. The decision of the MDC for denial was overturned and Proposal No. 315, 2021 was approved and adopted on the following roll call vote; viz:

18 YEAS: Adamson, Barth, Boots, Brown, Evans-E, Evans-J, Graves, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Oliver, Osili, Potts, Ray, Robinson
5 NAYS: Annee, Dilk, Gray, Hart, Mowery
2 ABSENT: Bain, Carlino

Proposal No. 315, 2021 was retitled REZONING ORDINANCE NO. 108, 2021, and is identified as follows:

2021-CZN-817 (AMENDED)
2216 AND 2228 NORTH COLLEGE AVENUE (APPROXIMATE ADDRESSES)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
REDLINE HOLDINGS VII LLC, by David Kingen and Schyler Sullivan
Rezoning of 0.82 acre from the D-8 district to the MU-2 district.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 251, 2021. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 251, 2021 on September 7, 2021. The proposal, sponsored by Councillors Mascari, Oliver, Evans and Jackson, authorizes the issuance of special taxing district bonds of the Park District of the Consolidated City in an aggregate principal amount not to exceed \$25,000,000 to finance the acquisition, construction, installation, and equipping of certain community parks improvements at Riverside Park, Krannert Park, and Grassy Creek Park. By a 11-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mascari moved, seconded by Councillor Jackson, for adoption. Proposal No. 251, 2021 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
2 ABSENT: Bain, Carlino

Proposal No. 251, 2021 was retitled SPECIAL ORDINANCE NO. 16, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 2021

A SPECIAL ORDINANCE approving the issuance of special taxing district bonds of the park district of the city of Indianapolis, Indiana and Marion County, Indiana.

WHEREAS, on August 17, 2021, the Park and Recreation Board (the "Board") of the City of Indianapolis and Marion County, Indiana (the "Consolidated City") adopted its Resolution entitled "Declaratory Resolution of the Park and Recreation Board of the Consolidated City of Indianapolis and Marion County, Indiana, Regarding Proposed Works of Improvements and its Intent to Issue Special Taxing District Bonds and the Reimbursement of Preliminary Expenses from the Proceeds of such Special Taxing District Bonds" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution set forth, *inter alia*, the Board's proposal, pursuant to Indiana Code 36-10-4-35, to cause to be issued special taxing district bonds of the Park District of the Consolidated City (the "District"), payable from a special tax levied upon all of the taxable property in the District, in an aggregate principal amount not to exceed Twenty-Five Million Dollars (\$25,000,000) (the "Bonds"), for the purpose of procuring funds to be applied to the cost of the acquisition, construction, installation and equipping of certain community parks improvements, as more particularly described in Exhibit A attached hereto and made a part hereof (collectively, the "Projects"), together with expenses incidental thereto, including all expenses permitted by Indiana Code 36-10-4-35 and all expenses incurred in connection with or on account of the issuance of the Bonds therefor; and

WHEREAS, pursuant to the Declaratory Resolution, the Bonds shall be issued in a principal amount not to exceed Twenty-Five Million Dollars (\$25,000,000), shall have a term not to exceed years (20) years, and shall bear interest at a rate or rates not to exceed six percent (6.0%) per annum; and

WHEREAS, the City-County Council of Indianapolis, Indiana and of Marion County, Indiana (the "City-County Council") now desires to approve the issuance of the Bonds and the maximum principal amount, term and interest rate thereof, pursuant to Indiana Code 36-10-4-35(g), Indiana Code 36-3-5-8(b), and Indiana Code 36-3-6-9(c); now, therefore:

September 27, 2021

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

SECTION 1. The issuance of the Bonds by the District to finance the Projects is hereby approved in all respects.

SECTION 2. The maximum principal amount of the Bonds of Twenty-Five Million Dollars (\$25,000,000), the maximum term of the Bonds of twenty (20) years, and the maximum interest rate for the Bonds of six percent (6.0%) per annum, are each hereby approved

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

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 Mowery stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Jones in memory of Erik Tjaden; and
- (2) Councillor Lewis in memory of John J. Maxey, Sr.; and
- (3) Councillor Larrison in memory of Hannah Crutchfield; and
- (4) Councillor Adamson in memory of Kyle Hendrix and Charlotte Lutin.

Councillor Mowery moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Erik Tjaden. John J. Maxey, Sr., Hannah Crutchfield, Kyle Hendrix and Charlotte Lutin. He respectfully asked the support of fellow Councillors. He 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 8:55 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 27th day of September, 2021.

In Witness Whereof, we have hereunto subscribed our signatures, caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:



(SEAL)