

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, OCTOBER 2, 2023**

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 7:09 p.m. on Monday, October 2, 2023 with Councillor Osili presiding.

Councillor Mowery recognized Pastor Tim Lindsey, Public Servants' Prayer, who led the opening prayer. Councillor Mowery 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:

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

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

OFFICIAL COMMUNICATIONS

President Osili 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, October 2, 2023, 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 15, 2023

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:

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 22, 2023, a copy of a Notice of Public Hearing on Proposal No. 264, 2023, said hearing to be held on Monday, October 2, 2023, at 7:00 p.m. in the Public Assembly Room of the City-County Building

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and Notice of Public Hearing on Proposal No. 265, 2023, said hearing to be held on Tuesday, October 10, 2023, at 5:30 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
s/Yulonda Winfield
Clerk of the City-County Council

September 13, 2023

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, Yulonda Winfield, the following ordinance:

FISCAL ORDINANCE NO. 11, 2023 – approves an additional appropriation of \$2,000,000 in the 2023 Budget of the Department of Business and Neighborhood Services (Capital Asset Lifecycle and Development Fund) to finance costs associated with improving local alleyways

FISCAL ORDINANCE NO. 12, 2023 - approves an additional appropriation of \$25,000,000 in the 2023 Budget of the Department of Public Works (Capital Asset Lifecycle and Development Fund) to finance design, construction and inspection costs related to residential streets

GENERAL ORDINANCE NO. 38, 2023 – adds Chapter 121, Article IX, County Option Circuit Breaker Tax Credit, to the Revised Code

GENERAL ORDINANCE NO. 39, 2023 – authorizes traffic controls at the intersection of North Illinois Street and West Hampton Drive (District 7)

GENERAL ORDINANCE NO. 40, 2023 – amends the Code to establish the Office of Equity, Belonging and Inclusion within the Office of the Mayor

GENERAL ORDINANCE NO. 41, 2023 - amends Sec. 291-602 of the Revised Code to include personnel with the rank of managers or above in the Emergency Communications Division of the Metropolitan Emergency Services Agency in the definition of "supervisor"

SPECIAL ORDINANCE NO. 15, 2023 – approves the issuance of Indianapolis-Marion County Public Library general obligation bonds for: a) the 2023 Central Library Renovation and Facility Update Project in an original aggregate principal amount not to exceed \$6,105,000; b) the 2023 Nora Branch Renovation and Facility Update Project in an original aggregate principal amount not to exceed \$6,105,000; and c) the 2023 Pike Branch Renovation and Facility Update Project in an original aggregate principal amount not to exceed \$6,105,000; in order to improve patron experience and provide better access to information by construction of accessible facilities, specifically, Central Library, Nora and Pike branches

SPECIAL ORDINANCE NO. 16, 2023 – approves the appropriation of proceeds and investment earnings of the Indianapolis-Marion County Public Library general obligation bonds for: a) the 2023 Central Library Renovation and Facility Update Project; b) the 2023 Nora Branch Renovation and Facility Update Project; and c) the 2023 Pike Branch Renovation and Facility Update Project; for the purpose of financing all or any portion of the 2023 Central Library, Nora and Pike Branch Projects, in order to improve patron experience and provide better access to information by construction of accessible facilities at said branches

GENERAL RESOLUTION NO. 30, 2023 – approves the first amendment to the 2007 restated Marion County Sheriff's Department Personnel Benefit Plan

GENERAL RESOLUTION NO. 31, 2023 – approves the second amendment to the 2015 restated Marion County Sheriff's Department Personnel Retirement Plan

SPECIAL RESOLUTION NO. 33, 2023 - proposes a resolution of the Marion County Local Income Tax Council to request approval from the department of local government finance to lower the levy freeze tax rate and to cast the vote of the City-County Council on such resolution

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 11, 2023. There being no additions or corrections, the minutes were approved as distributed.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 288, 2023. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves the issuance of local income tax revenue bonds, on a parity basis with prior bond issuances, in an aggregate principal amount not to exceed \$125,000,000 to the Indianapolis Public Transportation Corporation (IndyGo) for the purpose of funding all or any portion of the construction, renovation, installation and equipping of the Blue Line Bus Rapid Transit Line project; capital interest, if necessary; a reserve for the bonds; and issuance and other related costs; and pledges Transportation Local Income Tax Revenues to IndyGo for payment of the bonds"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 289, 2023. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$1,300,000 in the 2023 Budget of the Indianapolis Fire Department (Federal Grants Fund) for the purpose of funding expenses incurred during the deployments of Indiana Task Force One as part of the National Urban Search and Rescue Response System Response Cooperative Agreement in response to the Maui fire deployments"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 290-293, 2023 AND PROPOSAL NOS. 294-297, 2023. Introduced by Councillor Lewis. Proposal Nos. 290-293, 2023 and Proposal Nos. 294-297, 2023 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on September 12 and 21, 2023, 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. 110-117, 2023, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 110, 2023.
2023-ZON-056
3700 and 3818 South Post Road (*Approximate Addresses*)
Franklin Township, Council District #18
West Side Tractor Sales, by David A. Retherford
Rezoning of 23.56 acres from the D-A and SU-43 districts to the C-S district to provide for a business headquarters and tractor and equipment sales and service.

REZONING ORDINANCE NO. 111, 2023.
2023-ZON-071
707 & 711 East McCarty Street (*Approximate Addresses*)

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Center Township, Council District #16
Lindsay and Patrick Mullen, by Jason Wolfe
Rezoning of 0.26 acre from the I-3 (RC) district to the D-8 (RC) district to provide for a single-family dwelling.

REZONING ORDINANCE NO. 112, 2023.
2023-CZN-833
3815 North Lawndale Avenue (*Approximate Address*)
Pike Township, Council District #10
317 Realty Group LLC, by Jynell D. Berkshire
Rezoning of 1.192 acres from the D-7 District to the D-5II District to provide for single-family residential development.

REZONING ORDINANCE NO. 113, 2023.
2023-CZN-838
5437 Greenfield Avenue (*Approximate Address*)
Warren Township, Council District #12
Glenroy Construction Co. Inc, by Brian J. Tuohy
Rezoning of 0.73 acre from the D-5 District to the I-2 District.

REZONING ORDINANCE NO. 114, 2023.
2023-ZON-064
40 West 40th Street (*Approximate Address*)
Washington Township, Council District #7
Martin Luther King Multi-Service Center, by David Kingen
Rezoning of 2.37 acres from the D-2 (MSPC) district to the SU-7 (MSPC) district to legally establish a community center.

REZONING ORDINANCE NO. 115, 2023.
2023-CZN-834
4202 East 10th Street and 1009 Gladstone Avenue (*Approximate Addresses*)
Center Township, Council District #12
Mountain Goat Properties, LLC, by Pat Rooney
Rezoning of 0.134 acre from the C-4 district to the D-5II district.

REZONING ORDINANCE NO. 116, 2023.
2023-CZN-835
1100, 1106, 1110, 1114, 1118 and 1122 English Avenue (*Approximate Addresses*)
Center Township, Council District #12
Lexington Place, LLC / LP 2, LLC, by Luke Burrow
Rezoning of 0.54 acre from the C-1 and C-5 districts to the D-8 district.

REZONING ORDINANCE NO. 117, 2023.
2023-CZN-842
2601 East New York Street and 239 North Temple Avenue (*Approximate Addresses*)
Center Township, Council District #17
Englewood Community Development Corporation, by Joseph D. Calderon
Rezoning of 0.76 acre from the MU-1 district to the D-8 district.

PROPOSAL NO. 298, 2023. Introduced by Councillor Lewis. Proposal No. 298, 2023 is a proposal for Rezoning Ordinance certified by the Metropolitan Development Commission for denial on September 21, 2023. The President called for any motions for public hearings on this zoning maps change. There being no motions for public hearings, the proposed ordinance, pursuant to IC 36-7-4-608, was denied by the City-County Council, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

2022-CZN-867 (Amended)
5400 and 5430 Greenfield Avenue and 400 Burgess Avenue (*Approximate Addresses*)
Warren Township, Council District #12
Baldeep Baidwan by Adam Hoffer
Rezoning of 2.71 acres from the D-5 district to the D-8 district to provide for residential development.

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

President Osili called on General Counsel LeAnnette Pierce to review the ground rules for public testimony as adopted by this body. Ms. Pierce reminded Council members and the public of the ground rules for the public comment portion of the agenda. She said that in order for everyone to have a fair chance to speak and be heard, it is important to 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. Ms. Pierce added that some types of threatening speech or incitement to violence are not protected by the First Amendment and will be dealt with if they come up. President Osili called for consent to adopt the ground rules for public testimony, and consent was given.

Combined Budgets of City and County Government Departments and Agencies: PROPOSAL NO. 235, 2023 approves the tax levy and rate for the Police Special Service District for 2024. PROPOSAL NO. 236, 2023 approves the tax levy and rate for the Fire Special Service District for 2024. PROPOSAL NO. 237, 2023 approves the tax levy and rate for the Solid Waste Collection Special Service District for 2024. PROPOSAL NO. 238, 2023 adopts the annual budget for the City of Indianapolis and Marion County for 2024.

The President called for public testimony at 7:19 p.m.

Larry Vaughn, citizen, stated all this money being appropriated this evening is going into the General Fund, which means the mayor has jurisdiction over those funds and how they are used. There is a dysfunctional financial process in this city, without commissioners to oversee the proper use of these funds. Bundling the entire budget worth billions of dollars with only two minutes for public input is egregious.

Ed Hager, citizen, thanked the Council for their work on the budget and the time they have put into insuring checks and measures. He waited until the last minute in order to be a resounding voice to insure that city employees receive a livable wage. A study of cities across the nation, \$19 an hour was a minimum living wage. There is a program called EmployIndy that declared \$19 an hour is a living wage. There is staff working for this city that barely makes \$13 an hour, which is poverty level. This needs to be addressed in passing a budget worth billions.

PROPOSAL NO. 266, 2023 adopts the operating and maintenance budgets and tax levies of the Indianapolis Airport Authority and establishes appropriations for said municipal corporation for 2024.

The President called for public testimony at 7:25 p.m.

Mr. Vaughn said that this is the same problem. The tax levies are all being put into the General Fund, and the mayor can spend this money on attracting a SuperBowl if he wants to. Funds are being misappropriated and can be spent by the chief executive anyhow he chooses, enslaving people to purchase homes they cannot afford. As soon as this money is approved, the public has no control over it anymore. This needs to change.

PROPOSAL NO. 267, 2023 adopts the operating and maintenance budgets and tax levies of the Capital Improvement Board of Managers and establishes appropriations for said municipal corporation for 2024.

The President called for public testimony at 7:27 p.m.

Mr. Vaughn reiterated that the Capital Improvement Board receives this money while businesses are constantly being shuttered. Most the people that the CIB brings here do not pay taxes, but CIB receives a huge share of the City and County's taxes. He said other counties are building their own convention infrastructure and incentivizing these conferences to go elsewhere, which will eventually leave the CIB shuttered with all the city's money in its coffers.

PROPOSAL NO. 268, 2023 adopts the operating and maintenance budgets and tax levies of the Health and Hospital Corporation and establishes appropriations for said municipal corporation for 2024.

The President called for public testimony at 7:30 p.m.

Mr. Vaughn stated that he objects to this proposal most of all, when Dr. Virginia Caine shut down the entire city for two years. He said that this corporation should not be funded and should instead be abolished. He said children were kept out of school and businesses failed due to one corporation and one person making mandates when they had no authority to do so. Councillor Adamson called for a point of order and said that Mr. Vaughn's comments are not germane to the budget of this corporation.

PROPOSAL NO. 269, 2023 adopts the operating and maintenance budgets and tax levies of the Indianapolis-Marion County Public Library and establishes appropriations for said municipal corporation for 2024.

The President called for public testimony at 7:34 p.m.

Mr. Vaughn said that these dollars are not actually going to these entities, but are going to the General Fund. He said that the issues the Library has faced in the last few years regarding racism and mismanagement were not handled properly. President Osili asked Mr. Vaughn to keep his comments germane to the budget and not speak to board members or prior activities.

PROPOSAL NO. 270, 2023 adopts the operating and maintenance budgets and tax levies of the Indianapolis Public Transportation Corporation (IndyGo) and establishes appropriations for said municipal corporation for 2024.

The President called for public testimony at 7:36 p.m.

Mr. Vaughn said that they are spending millions of dollars chasing federal grants, but they have not yet received one dime. They have torn up 10th Street and made it one lane both ways, obstructing properties. They are taking grant money and using it to supplement the Department of Public Works' budget. He said that the buses are driving around the city empty, and IndyGo is receiving the majority of their monies from the city. President Osili asked Mr. Vaughn to keep his comments germane to the budget.

Mr. Hager said that he has asked about improvements in accessibility with IndyGo for many years, and he has not gotten any answers or any proof that anything is being done to improve accessibility. They are going to spend \$55 million on engineering fees, but he has pointed out 19 violations in accessibility that IndyGo is refusing to address at their bus stop locations. He encouraged the Council to work with IndyGo and require them to provide better accessibility to riders; not just those immobile, but the blind, the deaf, women with strollers, etc. Councillor Jackson asked Mr. Hager to provide the Clerk of the Council with some of the locations that are not accessible to which he is referring.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 265, 2023. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 265, 2023 on September 18, 2023. The proposal, sponsored by Councillors Osili and McCormick, designates a portion of Indiana Avenue, from Senate Avenue to Blackford Street, as Madam Walker Memorial Way. By an 8-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 265, 2023 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 ABSENT: Ray

Proposal No. 265 2023 was retitled GENERAL RESOLUTION NO. 32, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 32, 2023

A GENERAL RESOLUTION designating a portion of Indiana Avenue, from Senate Avenue to Blackford Street, as Madame CJ Walker Memorial Way.

WHEREAS, Madam C.J. Walker was born Sarah Breedlove on December 23, 1867, the first free child of former slaves on a plantation in the Louisiana Delta; and

WHEREAS, with little more than three months education, she launched a line of haircare products that was so successful that she ultimately became the first female self-made millionaire in the United States; and

WHEREAS, in 1910 she relocated her business to Indianapolis where she opened a factory, a salon, and a beauty school employing thousands of agents; and

WHEREAS, the property purchased by Walker later became the site of the iconic Walker Theater building; a structure that is registered as an historic site with the National Historic Landmarks; and

WHEREAS, Madam Walker was also known as a generous philanthropist and a social activist, supporting anti-lynching campaigns, education and women's rights; and

WHEREAS, the Madam C.J. Walker Legacy Center is planning a bicentennial Mural of Madam Walker downtown on Indiana Avenue and Senate Street that will educate the community about the Indianapolis legend with a "down the street" connection to the Walker Building; now, therefore:

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

SECTION 1. The Indianapolis City-County Council does hereby honor the memory of Madame CJ Walker by designating that portion of Indiana Avenue from Senate Avenue to Blackford Street, as the "Madame CJ Walker Memorial Way."

SECTION 2. As per Revised Code Section 431-405(a) this authorization shall expire fifteen (15) years after it is passed by the City-County Council.

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

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 271-275, 2023 on September 21, 2023. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 271, 2023. The proposal, sponsored by Councillor Mascari, authorizes weight limit restrictions in the residential neighborhood bordered by Prospect Street, Terrace Avenue, Sherman Drive and Vandeman Street (District 21). PROPOSAL NO. 272, 2023. The proposal, sponsored by Councillor Jones, authorizes a weight limit restriction along McCarty Street, between Warman Avenue and Reisner Street (District 16). PROPOSAL NO. 273, 2023. The proposal, sponsored by Councillor Jones, authorizes weight limit restrictions on all local streets bounded by Morris Street, Minnesota Street, Pershing Avenue and Harding Street (District 16). PROPOSAL NO. 274, 2023. The proposal, sponsored by Councillor Jones, authorizes weight limit restrictions on all local streets bounded by Morris Street, Warman Avenue, Interstate 70 and Belmont Avenue (District 16). PROPOSAL NO. 275, 2023. The proposal, sponsored by Councillor Oliver, authorizes a weight limit restriction along 45th Street, between Allisonville Road and Binford Boulevard (District 9). By 8-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Jones, for adoption. Proposal Nos. 271-275, 2023 were adopted on the following roll call vote; viz:

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

Proposal No. 271, 2023 was retitled GENERAL ORDINANCE NO. 42, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-364 (e). – Vehicles on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Vandeman Street; Prospect Street to Terrace Avenue;
Madeira Street; Prospect Street to Terrace Avenue;
Earhart Street; Prospect Street to Terrace Avenue;
Ewing Street; Prospect Street to Terrace Avenue;
Kealing Avenue; Prospect Street to Terrace Avenue;
Orange Street; Vandeman Street to Sherman Drive;
Morris Street; Earhart Street to Ewing Street;
Apple Street; Earhart Street to Ewing Street;

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Proposal No. 272, 2023 was retitled GENERAL ORDINANCE NO. 43, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-364 (e). – Vehicles on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

McCarty Street; Warman Avenue to Reisner Street;

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Proposal No. 273, 2023 was retitled GENERAL ORDINANCE NO. 44, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-364 (e). – Vehicles on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

All local streets bounded by *Morris Street, Minnesota Street, Pershing Avenue & Harding Street*;

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Proposal No. 274, 2023 was retitled GENERAL ORDINANCE NO. 45, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-364 (e). – Vehicles on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

All local streets bounded by *Morris Street, Warman Avenue, Interstate 70 & Belmont Avenue*;

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Proposal No. 275, 2023 was retitled GENERAL ORDINANCE NO. 46, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-364 (e). – Vehicles on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

October 2, 2023

45th Street; Allisonville Road to Binford Boulevard;

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 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:



- By All Councillors in memory of Senator Jack Sandlin.
- by Councillor Lewis in memory of Randy E. Carr.
- by Councillor Mascari in memory of Gayle Wagner and Mark Spitz.
- by Councillor Osili in memory of Rev. Marvin Chandler and Timothy Logan,

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 Senator Jack Sandlin, Randy E. Carr, Gayle Wagner, Mark Spitz, Rev. Marvin Chandler and Timothy Logan. 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 7:46 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 2nd day of October, 2023.

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


 President

 Clerk of the Council

ATTEST:

(SEAL)