

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, MARCH 7, 2022**

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 7:07 p.m. on Monday, March 7, 2022 with Councillor Osili presiding.

Councillor Larrison introduced Rev. Melody Merida, Downey Avenue Christian Church, who led the opening prayer. Councillor Larrison 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 PRESENT: Adamson, Annee, Bain, Barth, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 ABSENT: Carlino*

A quorum of twenty-four 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, March 7, 2022, 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

February 14, 2022

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:

Journal of the City-County Council

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, February 18, 2022 a copy of a Notice of Public Hearing on Proposal Nos. 7 and 8, 2022, said hearing to be held on Monday, March 7, 2022 at 7:00 p.m. in the Public Assembly Room of the City-County Building and a copy of a Notice of Public Hearing on Proposal Nos. 53 and 55, 2022, said hearing to be held at a meeting of the Metropolitan and Economic Development Committee on Tuesday, March 1, 2022 at 5:30 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
SaRita Hughes
Clerk of the City-County Council

February 28, 2022

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, March 4, 2022 a copy of a Notice of Public Hearing on Proposal No. 92, 2022, said hearing to be held at a meeting of the Metropolitan and Economic Development Committee on Monday, March 14, 2022 at 5:30 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
SaRita Hughes
Clerk of the City-County Council

February 10, 2022

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:

GENERAL ORDINANCE NO. 3, 2022 – authorizes bus-and-turn lanes and amends the Code to make various changes to Chapters 441 and 621 regarding traffic as a part of the IndyGo Super Stops, a component of the Marion County Transit Plan

GENERAL ORDINANCE NO. 4, 2022 – authorizes turn on red restrictions at Michigan and Oriental Streets (District 17)

GENERAL ORDINANCE NO. 5, 2022 – authorizes turn on red restrictions at Washington Street and Ritter Avenue (District 12)

GENERAL ORDINANCE NO. 6, 2022 – authorizes turn on red restrictions at 46th Street and Central Avenue (District 7)

GENERAL ORDINANCE NO. 7, 2022 – authorizes turn on red restrictions at 86th Street and Nora Commons (District 2)

GENERAL ORDINANCE NO. 8, 2022 – authorizes intersection controls at Southeastern Avenue and Thompson Road (District 25)

GENERAL ORDINANCE NO. 9, 2022 – modifies parking meter zone boundaries near College Avenue and Westfield Boulevard (District 2)

GENERAL ORDINANCE NO. 10, 2022 – establishes parking meter zones near Bellefontaine Street and Massachusetts Avenue (District 17)

SPECIAL RESOLUTION NO. 5, 2022 – recognizes Reese Hamilton for his commitment to creating opportunities to promote peace in his community

SPECIAL RESOLUTION NO. 6, 2022 – recognizes Black History Month

SPECIAL RESOLUTION NO. 7, 2022 – honors and raises awareness for youth affected by teen dating violence

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 February 7, 2021. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 104, 2022. The proposal, sponsored by Councillors Adamson, Brown and Barth, recognizes March 2022 as Disabilities Awareness Month in Indianapolis. Councillors read the proposal and Councillor Adamson moved, seconded by Councillor Brown, for adoption. Proposal No. 104, 2022 was adopted by a unanimous voice vote.

Proposal No. 104, 2022 was retitled SPECIAL RESOLUTION NO. 8, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 2022

A SPECIAL RESOLUTION recognizing March 2022 as Disabilities Awareness Month in Indianapolis.

WHEREAS, on February 26, 1987 President Ronald Reagan officially declared March National Disabilities Awareness Month; and

WHEREAS, the American Disabilities Act (ADA) was signed into law on July 26, 1990, which ensures and upholds Civil Rights, providing access and opportunity to live, work, and enjoy all aspects of community living for our peers with disabilities; and

WHEREAS, as of 2019, the CDC reported over 60 million Americans living with disabilities. People with disabilities are the largest minority group in the United States and include a group of richly diverse people from all different walks of life; and

WHEREAS, people with disabilities are an asset and valued members of the community, and our communities are at their best when full inclusion and integration is realized, providing access and opportunities for economic mobility, equitable education, and barrier-free access to community participation and resources; and

WHEREAS, in April of 2013, the Council unanimously adopted General Ordinance No. 11, 2013, which implemented the disability-owned business enterprise program, in collaboration with the Office of Disability Affairs, and made recommendations for improving the utilization of disability-owned businesses as service providers and suppliers throughout city and county government; and

WHEREAS, the Mayor, and the City's Office of Disability Affairs is planning to honor National Disabilities Awareness Month with: 1) a restructuring of the Access and Inclusion Awards; 2) by highlighting the work of individuals and organizations leading and championing access and inclusion for the disability community; and 3) by highlighting work in the areas of employment, accessibility, and service to keep inclusion at the forefront throughout the year; and

WHEREAS, although the Council encourages individuals, businesses and organizations to celebrate inclusion for individuals with disabilities at all times throughout the entire year, the March 2022 Awareness designation seeks to shine a spotlight and provide education as to how inclusion can truly happen across the City; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes March 2022 as Disabilities Awareness Month in Indianapolis, and encourages all individuals to champion inclusion, collaboration and acceptance for all people within our community.

SECTION 2. The Council further encourages all individuals, departments, agencies and organizations to observe the month of March with appropriate observances and activities directed toward increasing public awareness of the contributions and the potential of Americans with disabilities.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 105, 2022. The proposal, sponsored by Councillors Jones, E. Evans, Graves, Larrison, Boots, Carlino, J. Evans, Hart, Barth, Brown, Oliver and Osili, recognizes the life and legacy of Maurice Young in bringing hope to the homeless. Councillors read the proposal and presented representatives with copies of the document and Council pins. Christina Stovall, Mr. Young's sister, and other family members and friends thanked the Council for the recognition and invited all to his memorial on March 23rd, where he will lie in state at the Statehouse. Councillor Jones moved, seconded by Councillor Adamson, for adoption. Proposal No. 105, 2022 was adopted by a unanimous voice vote.

Proposal No. 105, 2022 was retitled SPECIAL RESOLUTION NO. 9, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 2022

A SPECIAL RESOLUTION recognizing the life and legacy of Maurice Young in bringing hope to the homeless.

WHEREAS, in 2021, sporting dreadlocks, a beard and modest clothing, the once stylishly dressed homecoming king and EGD dance team member, Maurice Young, might not have been recognizable to any of his former 1986 classmates at Northwest High School, but he was affectionately well-known on the streets as the "Mayor of Irish Hill," a homeless encampment just south of downtown Indianapolis; and

WHEREAS, for Young, his most transformative years seemed to come after 2011, when he "reset" his life's path and became "actively homeless," checking into a homeless shelter and dedicating the rest of his days to advocating for the homeless population of Indianapolis; and

WHEREAS, Irish Hill is just one of the many homeless encampments throughout the city, and Mr Young worked diligently to see that needs were met and resources were provided to those living in these camps; including calling meal providers and other charitable organizations to schedule outreach visits, setting up a library and learning center, planning cookouts and block parties and a community table where camp residents who missed a meal could find something to eat; as well as setting up semi-regular office hours at libraries to help homeless individuals register online for healthcare or other services; and

WHEREAS, Maurice Young did not just "talk the talk," but he "walked the walk;" living amongst his brothers and sisters and fighting for their Constitutional rights, even being arrested in 2013 for refusing to leave the encampment when it was being shut down, and being named as a plaintiff in a class-action rights violation suit filed in 2017 by the ACLU of Indiana, after street sweeps removed the homeless from under overpasses and bridges; and

WHEREAS, Young often spoke up when traditional social services and the "system" were not meeting the needs of his homeless neighbors, starting conversations about how the city and service providers could serve them better. He was featured in two separate award-winning documentaries: a short 12-minute film called "The Advocate," focusing on Young's conscious decision to become homeless; and a full-length film documenting the experience of those living at the Davidson Street camp called "Under the Bridge: The Criminalization of Homelessness;" and

WHEREAS, helping and championing others, no matter their situation, was a way of life for Mr. Young, because he believed everybody deserved a chance. He was asked by an adjunct professor for several years to speak to students at IUPUI in classes focusing on social work, helping them with tutoring, group projects, and even a mini-internship. At a 2015 TEDx talk in Indianapolis explaining what motivated him to serve the homeless community, Mr. Young quoted

writer Mark Twain: “The two most important days of your life are the day you were born, and the day you know why;” and

WHEREAS, sadly, at only 53 years of age, Maurice Young passed quietly from this life on January 31, 2022 at the Wheeler Mission men’s shelter. His family and friends hope that Maurice’s life will call people to action in serving all members of their community; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes the life and legacy of Maurice Young in bringing hope to the homeless.

SECTION 2. The Council further encourages all individuals to find ways to serve their community and champion those who need a helping hand.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 125, 2022. The proposal, sponsored by Councillor Osili, condemns the Russian invasion of Ukraine and urges steadfast support for the Ukrainian people. Councillor Adamson read the proposal and moved, seconded by Councillor J. Evans, for adoption. Proposal No. 125, 2022 was adopted by a unanimous voice vote.

Proposal No. 125, 2022 was retitled SPECIAL RESOLUTION NO. 10, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 2022

A SPECIAL RESOLUTION condemning the Russian invasion of Ukraine and urging steadfast support for the Ukrainian people.

WHEREAS, in keeping with national and international law, this Council fully affirms the right of all countries to decide their own future, foreign policy, and security arrangements free from outside interference or coercion; and,

WHEREAS, on February 24, 2022, Russian Federation forces launched an unprovoked full-scale invasion on the sovereign and peaceful nation of Ukraine; and,

WHEREAS, Reuters news service has reported that, since the launch of the invasion, Russian Federation forces have targeted civilians and have committed war crimes and crimes against humanity; and,

WHEREAS, the International Committee of the Red Cross report “devastating scenes of human suffering” across Ukraine in recent days, including hundreds of thousands of civilians trapped by Russian shelling in cities like Mariupol, now in its sixth day with no running water, no power, and no sanitation; and,

WHEREAS, the World Health Organization has said health facilities inside Ukraine are being attacked, supporting the accounts of Ukrainian officials who say the Russian Federation is striking civilian targets around the country, including hospitals, nurseries, and schools; and,

WHEREAS, on March 6, 2022, the United Nations High Commissioner for Refugees noted that more than 1.5 million people have crossed into neighboring countries in just 10 days and described the situation as “the fastest-growing refugee crisis since the Second World War”; and,

WHEREAS, the same agency has stated that the official total of 1,123 verified civilian casualties, most caused shelling from heavy artillery and multi-launch rocket systems, missiles, and air strikes is “likely to be a considerable underestimate of the true numbers”; now, therefore:

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

SECTION 1. This Council unequivocally supports the sovereignty and territorial integrity of Ukraine and stands steadfastly, staunchly, and proudly, behind the Ukrainian people in their fight against authoritarianism and the violent aggression of the Russian Federation.

SECTION 2. The Council joins the United States government and the leaders and civilians of democratic societies around the globe in demanding that the Russian Federation immediately cease its unlawful use of force against Ukraine and refrain from any further threat or use of force against any other nation.

SECTION 3. The Council likewise urges an immediate ceasefire and suspension of this unprovoked attack on the nation of Ukraine and calls on global leaders to work with all due haste toward a peaceful resolution of Russian Federation aggression.

SECTION 4. The Council calls on all parties to facilitate safe and unfettered passage to destinations outside of Ukraine for all citizens, rapid and unhindered access to those in need of assistance inside the country, and protections for civilians and medical and humanitarian workers.

SECTION 5. The Council further calls on all parties to fully comply with their obligations under international humanitarian law to spare the civilian population and infrastructure.

SECTION 6. The Council offers its gratitude to the thousands of Indianapolis residents who have expressed their support for the people of Ukraine through donations, demonstrations, and prayers.

SECTION 7. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 8. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 351, 2021. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 351, 2021 on February 16, 2022. The proposal, sponsored by Councillor Jackson, appoints Anthony Murdock to the Indianapolis Community Food Access Advisory Commission. By a vote of 11-0, the Committee reported the proposal to the full Council with a do pass recommendation. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 351, 2021 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 351, 2021 was retitled COUNCIL RESOLUTION NO. 22, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 2022

A COUNCIL RESOLUTION appointing Anthony Murdock 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 youth requirement, the Council appoints:

Anthony Murdock

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, unless the duration of the holdover period for this appointment is limited by statute.

Councillor Gray reported that the Municipal Corporations Committee heard Proposal Nos. 36 and 73, 2022 on February 9, 2022. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 36, 2022. The proposal, sponsored by Councillor Osili, reappoints Maggie Lewis to the Capital Improvement Board of Managers. PROPOSAL NO. 73, 2022. The proposal, sponsored by Councillor Osili, reappoints Rev. T.D. Robinson to the Indianapolis Public Library Board of Trustees. By votes of 7-0, the Committee reported the proposals to the full Council with a do pass recommendation. Councillor Gray moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 36 and 73, 2022 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:
1 ABSENT: Carlino

Proposal No. 36, 2022 was retitled COUNCIL RESOLUTION NO. 23, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 2022

A COUNCIL RESOLUTION reappointing Maggie Lewis to the Capital Improvement Board of Managers.

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 Capital Improvement Board of Managers, the Council reappoints:

Maggie Lewis

SECTION 2. The appointment made by this resolution is for a term ending January 14, 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. 73, 2022 was retitled COUNCIL RESOLUTION NO. 24, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 2022

A COUNCIL RESOLUTION reappointing Rev. T.D. Robinson to the Indianapolis-Marion County Public Library Board of Trustees.

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-Marion County Public Library Board of Trustees, the Council reappoints:

Rev. T.D. Robinson

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

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 37, 38, 40, 41, 43-45, 47-49, 74, 76 and 77, 2022 on March 1, 2022. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 37, 2022. The proposal, sponsored by Councillor Lewis, reappoints Elizabeth Ellis to the Woodruff Place Economic Improvement District Board. PROPOSAL NO. 38, 2022. The proposal, sponsored by Councillor Lewis, reappoints Brandon Fishburn to the Woodruff Place Economic Improvement District Board. PROPOSAL NO. 40, 2022. The proposal, sponsored by Councillor Lewis, appoints Jane Henegar to the Woodruff Place Economic Improvement District Board. PROPOSAL NO. 41, 2022. The proposal, sponsored by Councillor Lewis, appoints Lana Cosby-Jones to the Woodruff Place Economic Improvement District Board. PROPOSAL NO. 43, 2022. The proposal, sponsored by Councillor Mascari, reappoints Michael Halstead to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 44, 2022. The proposal, sponsored by Councillor Mascari, reappoints Trinity Hart to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 45, 2022. The proposal, sponsored by Councillor Mascari, reappoints Linda Osborne to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 47, 2022. The proposal, sponsored by Councillor Mascari, appoints Peggy Frame to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 48, 2022. The proposal, sponsored by Councillor Mascari, appoints Kelli Mirgeaux to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 49, 2022. The proposal, sponsored by Councillor Mascari, appoints Michael Taft to the Greater Virginia Avenue Corridor Economic Improvement District Board. PROPOSAL NO. 74, 2022. The proposal, sponsored by Councillor Osili, reappoints Belinda Drake to the Board of Business and Neighborhood Services. PROPOSAL NO. 76, 2022. The proposal, sponsored by Councillor Osili, reappoints Brian Barton to the Marion County Property Tax Board of Appeals. PROPOSAL NO. 77, 2022. The proposal, sponsored by Councillor Osili, reappoints Cathi Gould to the Marion County Property Tax Board of Appeals. By votes of 10-0, the Committee reported the proposals to the full Council with a do pass recommendation. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 37, 38, 40, 41, 43-45, 47-49, 74, 76 and 77, 2022 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 37, 2022 was retitled COUNCIL RESOLUTION NO. 25, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 2022

A COUNCIL RESOLUTION reappointing Elizabeth Ellis to the Woodruff Place Economic Improvement District Board.

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

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council reappoints:

Elizabeth Ellis

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. 38, 2022 was retitled COUNCIL RESOLUTION NO. 26, 2022, and reads as follows:

March 7, 2022

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 2022

A COUNCIL RESOLUTION reappointing Brandon Fishburn to the Woodruff Place Economic Improvement District Board.

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

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council reappoints:

Brandon Fishburn

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. 40, 2022 was retitled COUNCIL RESOLUTION NO. 27, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 2022

A COUNCIL RESOLUTION appointing Jane Henegar to the Woodruff Place Economic Improvement District Board.

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

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council appoints:

Jane Henegar

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. 41, 2022 was retitled COUNCIL RESOLUTION NO. 28, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 2022

A COUNCIL RESOLUTION appointing Lana Cosby-Jones to the Woodruff Place Economic Improvement District Board.

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

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council appoints:

Lana Cosby-Jones

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2023. 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. 43, 2022 was retitled COUNCIL RESOLUTION NO. 29, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 2022

A COUNCIL RESOLUTION reappointing Michael Halstead to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

Journal of the City-County Council

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council reappoints:

Michael Halstead

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 44, 2022 was retitled COUNCIL RESOLUTION NO. 30, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 2022

A COUNCIL RESOLUTION reappointing Trinity Hart to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council reappoints:

Trinity Hart

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 45, 2022 was retitled COUNCIL RESOLUTION NO. 31, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 2022

A COUNCIL RESOLUTION reappointing Linda Osborne to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council reappoints:

Linda Osborne

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 47, 2022 was retitled COUNCIL RESOLUTION NO. 32, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 2022

A COUNCIL RESOLUTION appointing Peggy Frame to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council appoints:

March 7, 2022

Peggy Frame

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 48, 2022 was retitled COUNCIL RESOLUTION NO. 33, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 2022

A COUNCIL RESOLUTION appointing Kelli Mirgeaux to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council appoints:

Kelli Mirgeaux

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 49, 2022 was retitled COUNCIL RESOLUTION NO. 34, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 2022

A COUNCIL RESOLUTION appointing Michael Taft to the Greater Virginia Avenue Corridor Economic Improvement District Board.

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

SECTION 1. As a member of the Greater Virginia Avenue Corridor Economic Improvement District Board, the Council appoints:

Michael Taft

SECTION 2. The appointment made by this resolution is for a term ending June 30, 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. 74, 2022 was retitled COUNCIL RESOLUTION NO. 35, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 2022

A COUNCIL RESOLUTION reappointing Belinda Drake to the Board of Business and Neighborhood Services.

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 Board of Business and Neighborhood Services, the Council reappoints:

Belinda Drake

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2022. 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. 76, 2022 was retitled COUNCIL RESOLUTION NO. 36, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 2022

A COUNCIL RESOLUTION reappointing Brian Barton to the Marion County Property Tax Assessment Board of Appeals.

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

SECTION 1. As a member of the Marion County Property Tax Assessment Board of Appeals, the Council reappoints:

Brian Barton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2022. 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. 77, 2022 was retitled COUNCIL RESOLUTION NO. 37, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 2022

A COUNCIL RESOLUTION reappointing Cathi Gould to the Marion County Property Tax Assessment Board of Appeals.

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

SECTION 1. As a member of the Marion County Property Tax Assessment Board of Appeals, the Council reappoints:

Cathi Gould

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2022. 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. 79, 2022. Councillor Oliver reported that the Parks and Recreation Committee heard Proposal No. 79, 2022 on February 10, 2022. The proposal, sponsored by Councillors Osili and Potts, appoints Jenice Golson-Dunlap to the Indianapolis Greenways Development Committee. By an 8-0 vote, the Committee reported the proposal to the full Council with a do pass recommendation. Councillor Jones moved, seconded by Councillor Oliver, for adoption. Proposal No. 79, 2022 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 79, 2022 was retitled COUNCIL RESOLUTION NO. 38, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 2022

A COUNCIL RESOLUTION appointing Jenice Golson-Dunlap to the Indianapolis Greenways Development Committee.

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 Greenways Development Committee, the Council appoints:

Jenice Golson-Dunlap

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

PROPOSAL NO. 81, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 81, 2022 on February 22, 2022. The proposal, sponsored by Councillor Osili, reappoints Barbara Howard to the Alcoholic Beverage Board of Marion County. By a vote of 12-0, the Committee reported the proposal to the full Council with a do pass recommendation. Councillor Mascari moved, seconded by Councillor Lewis, for adoption. Proposal No. 81, 2022 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 81, 2022 was retitled COUNCIL RESOLUTION NO. 39, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 2022

A COUNCIL RESOLUTION reappointing Barbara Howard to the Alcoholic Beverage Board of Marion County.

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 Alcoholic Beverage Board of Marion County, the Council reappoints:

Barbara Howard

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2022. 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.

Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 82 and 83, 2022 on February 16, 2022. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 82, 2022. The proposal, sponsored by Councillor Osili, appoints Curtis Bigsbee to the Emergency Services Agency Board. PROPOSAL NO. 83, 2022. The proposal, sponsored by Councillors Robinson and Carlino, appoints Danyette Smith to the Domestic Violence Fatality Review Team. By votes of 11-0, the Committee reported the proposals to the full Council with do pass recommendations. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 82 and 83, 2022 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 82, 2022 was retitled COUNCIL RESOLUTION NO. 40, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 2022

A COUNCIL RESOLUTION appointing Curtis Bigsbee to the Emergency Services Agency Board.

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

SECTION 1. As a member of the Emergency Services Agency Board, the Council appoints:

Curtis Bigsbee

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2022. 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. 83, 2022 was retitled COUNCIL RESOLUTION NO. 41, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 2022

A COUNCIL RESOLUTION appointing Danyette Smith to the Domestic Violence Fatality Review Team.

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 Domestic Violence Fatality Review Team (fulfilling the requirement of provider of intervention services), the Council appoints:

Danyette Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2023. 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. 84, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of John C. Krause as hearing officer to preside over the administrative adjudication of parking citations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 85, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves appropriations and transfers totalling \$86,784,620 from various city-county funds for use by various city-county departments agencies, transferring \$71,856,000 of existing appropriations among characters and appropriating \$14,928,620 of federal and local grant awards not previously appropriated, and ratifies a transfer between departments in the Federal Grants fund for purposes of COVID-19 emergency response"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 86, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totalling \$650,000 in the 2022 Budget of the Information Services Agency (Information Services Fund) to finance unforeseen additional costs in the implementation of the enterprise-wide phone system upgrade"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 87, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which re-establishes the City Cumulative Capital Development Fund for Indianapolis Consolidated City pursuant to I.C. 36-9-15.5"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 88, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which re-establishes the County Cumulative Capital Development Fund for Marion County pursuant to I.C. 36-9-14.5"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 89, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the city controller to take necessary steps to allow for a matching contribution to be made by the City-County to the accounts of all City-County employees who participate in the Indiana Deferred Compensation Plan"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 90, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Nick Baxter to the Greater Virginia Avenue Corridor Economic Improvement District Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 91, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves additional appropriations totalling \$5,540,000 in the 2022 Budget of the Department of Metropolitan Development (Consolidated County General, Redevelopment General, and Federal Grant Funds) to finance contractual services, land acquisition, and grant eligible personnel costs"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 92, 2022. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the declaratory resolution of the Metropolitan Development Commission which established the King Cole Economic Development Area and approved a development plan for said area, establishing a new allocation area to allow 25-year tax increment bond financing for the proposed Motto Hotel Project, which is located in the proposed allocation area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 93, 2022. Introduced by Councillor Bain. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Arcamed, LLC, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 94, 2022. Introduced by Councillor Boots. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Citimark Management Company, Inc. and 96th Street Developers LLC, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 95, 2022. Introduced by Councillor Potts. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Gershman

Partners, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 96, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grants totalling \$180,000 from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 97, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which determines the need for the Indianapolis Metropolitan Police Department to lease approximately 44,734 square feet of office space at 4140 North Keystone Avenue "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 98, 2022. Introduced by Councillor Potts. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no turn on red restrictions at Westfield Boulevard and YMCA Access Drive (District 2)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 99, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no turn on red restrictions at Arsenal Avenue and Michigan Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 100, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no turn on red restrictions at Michigan Street and East Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 101, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no turn on red restrictions at Massachusetts Avenue and Valley Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 102, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends various sections of the Code concerning drainage and stormwater management with technical corrections and updates as required by regulations of the Environmental Protection Agency (EPA) and the Indiana Department of Environmental Management (IDEM)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 103, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the city controller to make changes to the salary classification schedule governing city and county employees to allow for premium pays in order to recruit and retain staff for critical functions"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 118, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reconfirms the Marion County Public Defender Board's nomination of Robert J. Hill as the Chief Marion County Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 124, 2022. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints T. Carlos Simpson to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 106-113, 2022, PROPOSAL NO. 114, 2022, PROPOSAL NOS. 115-116, 2022, PROPOSAL NO. 117, 2022 and PROPOSAL NOS. 119-122, 2022. Introduced by Councillor Lewis. Proposal Nos. 106-113, 2022, Proposal No. 114, 2022, Proposal Nos. 115-116, 2022, Proposal No. 117, 2022, and Proposal Nos. 119-122, 2022 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on February 22, 24, 25, and 15, 2022, 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. 23-38, 2022, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 23, 2022.
2021-ZON-075 (AMENDED)
7320 EAST HANNA AVENUE (*APPROXIMATE ADDRESS*)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #18
M/I HOMES OF INDIANA LP, by Joseph D. Calderon
Rezoning of 73.85 acres from the D-A and SU-43 districts to the D-3 district.

REZONING ORDINANCE NO. 243, 2022.
2021-ZON-100
8565 SPRINGVIEW DRIVE (*APPROXIMATE ADDRESS*)
WASHINGTON TOWNSHIP, COUNCIL DISTRICT #2
ROYA FARZANEH-LAGHAIE, by David Kingen and Emily Duncan
Rezoning of 0.69 acre from the D-P district to the D-1 district.

REZONING ORDINANCE NO. 25, 2022.
2021-ZON-115
722 FAIRFIELD AVENUE (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #9
JKW DEVELOPMENT GROUP LLC, by John Cross
Rezoning of 0.2 acre from the D-5 district to the D-8 district.

REZONING ORDINANCE NO. 26, 2022.
2021-ZON-145
3160, 3162, 3164, AND 3170 EAST MINNESOTA STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #21
HANH BUILEE
Rezoning of 0.53 acres from the C-1 district to the D-5 district for residential use.

REZONING ORDINANCE NO. 27, 2022.
2021-ZON-147
906 EAST BEECHER STREET (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #21
INDIANA REHAB INVESTMENTS LLC, by Mark and Kim Crouch
Rezoning of 0.08 acres from the I-4 district to the D-5 district to provide for residential use.

REZONING ORDINANCE NO. 28, 2022.
2021-CZN-863
1715 HALL PLACE AND 1720-1744 NORTH ILLINOIS STREET (*APPROXIMATE ADDRESSES*)

CENTER TOWNSHIP, COUNCIL DISTRICT #11
ARROW STREET DEVELOPMENT LLC, by Peter Cleveland
Rezoning of 1.97 acres from the HD-1 (RC) district to the MU-1 (RC) classification.

REZONING ORDINANCE NO. 29, 2022.
2021-CZN-865
19 WEST KELLY STREET (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #16
BEN AND BONNIE ADAMS, by John Cross
Rezoning of 0.57 acre from the SU-1 and SU-10 districts to the D-5 district.

REZONING ORDINANCE NO. 30, 2022.
2021-CZN-866
5260 CLAYBROOKE COMMONS DRIVE (*APPROXIMATE ADDRESS*)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #25
DUNPHY DEVELOPMENT LLC, by Russell L. Brown
Rezoning of 4.73 acre from the C-4 to the C-5 district to allow for a vehicle sales, maintenance, and repair facility.

REZONING ORDINANCE NO. 31, 2022.
2021-ZON-055
1000 SOUTH MITTHOEFER ROAD AND 10224 AND 10602 PROSPECT STREET (*APPROXIMATE ADDRESSES*)
WARREN TOWNSHIP, COUNCIL DISTRICT #19
GRADISON LAND DEVELOPMENT INC., by Adam Mears
Rezoning of 51.544 acres from the D-A district to the D-3 district.

REZONING ORDINANCE NO. 32, 2022.
2021-ZON-105
1855 NORTH SHADELAND AVENUE (*APPROXIMATE ADDRESS*)
WARREN TOWNSHIP, COUNCIL DISTRICT #19
MG OIL INC., by Pat Rooney
Rezoning of 0.415 acre from the C-3 district to the C-4 district.

REZONING ORDINANCE NO. 33, 2022.
2021-ZON-129 (AMENDED)
1201 SOUTH GERMAN CHURCH ROAD (*APPROXIMATE ADDRESS*)
WARREN TOWNSHIP, COUNCIL DISTRICT #19
PYATT BUILDERS, LLC, by Brian J. Tuohy
Rezoning of 28.039 acres from the SU-1 district to the D-P district to provide for 33 two-family dwellings (66 units).

REZONING ORDINANCE NO. 34, 2022.
2021-ZON-118
3003 AND 3009 EAST 96TH STREET (*APPROXIMATE ADDRESSES*)
WASHINGTON TOWNSHIP, COUNCIL DISTRICT #2
HOUR MOTORS REALTY LLC, by J. Murray Clark
Rezoning of 1.34 acres from the C-1 district to the C-5 district.

REZONING ORDINANCE NO. 35, 2022.
2021-ZON-137
6205 RUCKER ROAD (*APPROXIMATE ADDRESS*)
WASHINGTON TOWNSHIP, COUNCIL DISTRICT #3
MIDWEST DESIGN GROUP, LLC, by Matthew Land
Rezoning of 7.48 acres from the SU-1 district to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 36, 2022.
2021-ZON-142
7340 EAST EDGEWOOD AVENUE (*APPROXIMATE ADDRESS*)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #25
PULTE HOMES OF INDIANA, LLC, by Joseph D. Calderon
Rezoning of 52.19 acres from the D-A (FW) district to the D-P (FW) classification to provide for 115 single-family dwellings.

REZONING ORDINANCE NO. 37, 2022.

2021-ZON-143

5896 SOUTH EAST STREET (*APPROXIMATE ADDRESS*)

PERRY TOWNSHIP, COUNCIL DISTRICT #23

SOE WIN AND KHING LIN, by Kyaw Win Naing

Rezoning of 1.875 acres from the D-A district to the SU-1 district.

REZONING ORDINANCE NO. 38, 2022.

2021-ZON-144

1955 AND 1959 HILLSIDE AVENUE (*APPROXIMATE ADDRESS*)

CENTER TOWNSHIP, COUNCIL DISTRICT #17

KATHY E. LANE

Rezoning of 0.24 acres from the C-1 district to the D-5 district.

SPECIAL ORDERS - PUBLIC HEARING

President Osili called on General Counsel Toae Kim to review the ground rules for public testimony as adopted by this body. Ms. Kim 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. Kim 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.

PROPOSAL NO. 7, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 7, 2022 on March 1, 2022. The proposal, sponsored by Councillor Mascari, approves the 2022 Budget of the Greater Virginia Avenue Corridor Economic Improvement District. By a vote of 11-0, the Committee reported the proposal to the full Council with a do pass recommendation.

The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 7, 2022 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:
1 ABSENT: Carlino

Proposal No. 7, 2022 was retitled FISCAL ORDINANCE NO. 1, 2022, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 2022

PROPOSAL FOR A FISCAL ORDINANCE approving the 2022 Budget of the Greater Virginia Avenue Corridor Economic Improvement District.

WHEREAS, General Ordinance No. 47, 2018 (Proposal No. 199, 2018) established the Greater Virginia Avenue Corridor Economic Improvement District (EID); and

WHEREAS, Section 121-808 and Section 121-809 of the “Revised Code of the Consolidated City and County” provides that the EID Board is to be appointed by the Council, and the Board is to prepare and submit a proposed budget governing the Board’s projected expenditures from the Greater Virginia Avenue Corridor Economic Improvement Fund; and

WHEREAS, pursuant to IC 36-7-22-17(a) and Section 121-809 of the Revised Code, the Council may approve, modify, or reject the EID Board’s proposed budget; and

WHEREAS, the EID Board has now prepared and submitted a proposed budget for calendar year 2022 to the Council; now, therefore:

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

SECTION 1. Pursuant to IC 36-7-22-17(a) and Section 121-809 of the “Revised Code of the Consolidated City and County,” the Greater Virginia Avenue Corridor Economic Improvement Board has submitted its proposed budget for calendar year 2022. The proposed budget is attached hereto and made a part hereof, marked as Exhibit A. The total proposed budget is Eighty Two Thousand Four Hundred and Five Dollars (\$82,405).

SECTION 2. The Council hereby approves the proposed budget submitted by the Greater Virginia Avenue Corridor Economic Improvement Board for calendar year 2022.

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

PROPOSAL NO. 8, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 8, 2022 on March 1, 2022. The proposal, sponsored by Councillor Adamson, approves the 2022 Budget of the Woodruff Place Economic Improvement District. By a vote of 11-0, the Committee reported the proposal to the full Council with a do pass recommendation.

The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 8, 2022 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:
1 ABSENT: Carlino

Proposal No. 8, 2022 was retitled FISCAL ORDINANCE NO. 2, 2022, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 2022

PROPOSAL FOR A FISCAL ORDINANCE approving the 2022 Budget of the Woodruff Place Economic Improvement District.

WHEREAS, General Ordinance No. 67, 2015 (Proposal No. 249, 2015) established the Woodruff Place Economic Improvement District (EID); and

WHEREAS, Section 121-603 of the “Revised Code of the Consolidated City and County” provides that the EID Board is to be appointed by the Council, and the Board is to prepare and submit a proposed budget governing the Board’s projected expenditures from the Woodruff -Place Economic Improvement Fund; and

WHEREAS, pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the Revised Code, the Council may approve, modify, or reject the EID Board’s proposed budget; and

WHEREAS, the EID Board has now prepared and submitted a proposed budget for calendar year 2022 to the Council; now, therefore:

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

SECTION 1. Pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the “Revised Code of the Consolidated City and County,” the Woodruff Place Economic Improvement Board has submitted its proposed budget for calendar year 2022. The proposed budget is attached hereto and made a part hereof, marked as Exhibit A. The total proposed budget is Forty-five Thousand Dollars (\$45,000).

SECTION 2. The Council hereby approves the proposed budget submitted by the Woodruff Place Economic Improvement Board for calendar year 2022.

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 51, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 51, 2022 on March 1, 2022. The proposal, sponsored by Councillors Lewis and Adamson, approves the amounts, locations, and programmatic operation of certain projects to be funded from the Community Development Grant Funds. By a vote of 9-0-2, the Committee reported the proposal to the full Council with a do pass recommendation.

Councillors Brown and Jackson asked for consent to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 51, 2022 was adopted on the following roll call vote; viz:

22 YEAS: *Adamson, Annee, Bain, Barth, Boots, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson*

0 NAYS:

2 NOT VOTING: *Brown, Jackson*

1 ABSENT: *Carlino*

Proposal No. 51, 2022 was retitled GENERAL RESOLUTION NO. 3, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 2022

PROPOSAL FOR A GENERAL RESOLUTION approving the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, the City-County Council, the Consolidated City of Indianapolis, Marion County, Indiana (“Council”), passed City-County Fiscal Ordinance No. 22, 2021, the 2022 Annual Budget of the Consolidated City of Indianapolis and for Marion County, Indiana (“Budget Ordinance”); and

WHEREAS, Section 4.01 (b) of the Budget Ordinance, as approved by the Council reads as follows:

Community Development Grant Funds. Until this Council has approved the amounts, locations, and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana (“Department of Metropolitan Development”) has presented the 2022 Annual Action Plan, a document submitted to the United States Department of Housing and Urban Development (“HUD”), which sets forth the City’s goals and intentions for using federal dollars in fiscal year 2022 to the Council; and

WHEREAS, the 2022 Annual Action Plan identifies the amounts, locations, and programmatic operation of each project that will be funded by the Community Development Grant Funds, which are summarized in the Summary of 2022 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference; and

WHEREAS, Council now finds that the amounts, locations, and programmatic operations of each project listed in the 2022 Annual Action Plan, including insubstantial amendments thereto should be approved; now, therefore:

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

SECTION 1. That the amounts, locations, and programmatic operations of each of the projects included in the 2022 Annual Action Plan, which are summarized in the Summary of 2022 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference, are approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 (b) of the Budget Ordinance and shall include and allow insubstantial amendments to the approved projects.

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

PROPOSAL NO. 52, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 52, 2022 on March 1, 2022. The proposal, sponsored by Councillors Lewis and Adamson, approves expenditures of \$750,000 from the Community Revitalization Enhancement District's Industrial Development Fund for calendar year 2022 for use within the Lafayette Square Community Revitalization Enhancement District (CRED). By a vote of 11-0, the Committee reported the proposal to the full Council with a do pass recommendation. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 52, 2022 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, 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:

1 ABSENT: Carlino

Proposal No. 52, 2022 was retitled GENERAL RESOLUTION NO. 4, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2022

PROPOSAL FOR A GENERAL RESOLUTION to approve expenditures from the Community Revitalization Enhancement District's Industrial Development Fund, established pursuant to IC 36-7-13-4, for use within the Lafayette Square Community Revitalization Enhancement District (CRED) a/k/a International Marketplace.

WHEREAS, a Community Revitalization Enhancement District (hereinafter referred to as "CRED") was created, pursuant to IC 36-7-13, *et seq.*, (hereinafter referred to as the "Act") in a section of the City of Indianapolis ("City) commonly known as the International Marketplace, and formerly known as Lafayette Square; and

WHEREAS, in accordance with the Act, a CRED Industrial Development Fund (hereinafter referred to as the "CRED Fund") was established which annually receives a portion of: (a) state and local income taxes paid by employees in the CRED; and (b) state retail and use taxes generated by businesses within the CRED; and

WHEREAS, an Advisory Commission on Industrial Development (hereinafter referred to as the "CRED Commission") has been appointed by the City's Mayor, pursuant to Section 5 of the Act, to coordinate the efforts of the City and the private sector with regard to redevelopment of the CRED; and

WHEREAS, the City previously commissioned studies and drafted plans that identified impediments to redevelopment and indicated that catalytic projects were needed to attract visitors and customers from around the region to support the small business within the CRED District and attract new businesses to the area; and

March 7, 2022

WHEREAS, to address obstacles identified and goals formulated in the studies, the Act allows CRED funds to be used, among other purposes, to fund Site Improvements, Buildings, Structures, Rehabilitation, and Administration and Operating Expenses; and

WHEREAS, on December 20, 2021, the CRED Commission voted to adopt Resolutions (hereinafter CRED Commission Resolutions), attached hereto as "Exhibit A," recommending that in addition to ongoing and budgeted initiatives previously approved, additional expenditures of \$750,000.00 from the CRED Fund during calendar year 2022 should be appropriated to address said obstacles and to fund such activities authorized by the Act; and

WHEREAS, the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") is empowered by the Act to make certain expenditures from the CRED Fund as long as a majority of the members of the CRED Commission have provided the Council with written approval of such expenditures; now therefore

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

SECTION 1. The Council hereby approves additional expenditures from the CRED Fund, totaling \$750,000.00, to pay for CRED redevelopment activities authorized by the Act, as specified in the CRED Commission Resolution.

SECTION 2. The Council hereby authorizes the City's Department of Metropolitan Development and its Director to take such further actions and execute such documents as deemed necessary or advisable to effectuate the expenditure approval set forth in SECTION 1 of this Resolution in furtherance of redevelopment of the CRED.

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

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 53 and 54, 2022 on March 1, 2022. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 53, 2022. The proposal, sponsored by Councillor Osili, authorizes the removal of property from the Consolidated Downtown allocation area and creation of the Indy Innovation Apartments, LLC Allocation area . PROPOSAL NO. 54, 2022. The proposal, sponsored by Councillor Osili, approves the issuance of developer-backed tax increment finance (TIF) bonds in an amount not to exceed \$12,500,000 for the proposed Indy Innovation Apartments, a new mixed-use development, including a multi-family housing facility, amenities, and commercial retail space, in the previously established 16 Tech Innovation district (now in the proposed separate allocation area to be known as the Indy Innovation Apartments LLC economic development area), located at 1350 Waterway Boulevard (District 11). By votes of 11-0, the Committee reported the proposals to the full Council with do pass recommendations.

Councillor Gray asked what property was removed from the consolidated downtown TIF. Rusty Carr, deputy director of the Department of Metropolitan Development (DMD), said that this single parcel was vacant, and it was lifted out and designated as its own economic development area.

Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 53 and 54, 2022 were adopted on the following roll call vote; viz:

24 YEAS: *Adamson, Annee, Bain, 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:
1 ABSENT: *Carlino*

Proposal No. 53, 2022 was retitled GENERAL RESOLUTION NO. 5, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2022

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving (i) a declaratory Resolution and supplement to a redevelopment plan of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) and (ii) the determination of the Commission that an area within the City of Indianapolis, Indiana is an allocation area within an economic development area.

WHEREAS, the Commission has previously adopted and confirmed resolutions (as amended from time to time, collectively, the “Original Declaratory Resolution”) which (i) declared an area of the City, known as the “Consolidated/Harding Street Redevelopment Area” (the “Consolidated Redevelopment Area”), to be a “redevelopment project area” within the meaning of IC 36-7-15.1, as amended (the “Act”), (ii) designated a portion of the Redevelopment Area, known as the “Consolidated Redevelopment Allocation Area,” as an “allocation area” for purposes of Section 26 of the Act (the “Consolidated Allocation Area”), and (iii) approved the “Consolidated/Harding Street Redevelopment Area Plan” for the Consolidated Redevelopment Area (the “Consolidated Redevelopment Plan”); and

WHEREAS, on February 2, 2022, the Commission adopted a declaratory resolution No. 2022-E-004 (the “2022 Declaratory Resolution”) to amend the Original Declaratory Resolution and Consolidated Redevelopment Plan to (i) remove from the Consolidated Allocation Area the area described in Exhibit A to the 2022 Declaratory Resolution (the “Removed Area”), and (ii) designate the entire Removed Area as its own separate allocation area to be known as the “Indy Innovation Apartments, LLC Allocation Area” (the “2022 Allocation Area”), and (iii) adopt a supplement to the Consolidated Redevelopment Plan set forth in Exhibit B to the 2022 Declaratory Resolution (the “Plan Supplement”); and

WHEREAS, the Act requires approval of the 2022 Declaratory Resolution, the Plan Supplement and the establishment of the 2022 Allocation Area by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “Council”);

WHEREAS, the 2022 Declaratory Resolution and Plan Supplement have been submitted to this Council; now, therefore:

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

SECTION 1. The 2022 Declaratory Resolution and Plan Supplement for the Consolidated Redevelopment Area are in all respects approved, ratified and confirmed by the Council.

SECTION 2. The determination of the Commission that the 2022 Allocation Area described in the 2022 Declaratory Resolution is an allocation area pursuant to the Act is in all respects approved, ratified and confirmed by the Council.

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

Proposal No. 54, 2022 was retitled SPECIAL ORDINANCE NO. 1, 2022, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 2022

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022 (with such further series or other designation as determined to be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued), in a maximum aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the “Act”) declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the “City”), is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, Browning Investments, LLC, Indy Innovation Apartments, LLC, one or more subsidiaries or affiliates thereof, and/or one or more entities in which any of the foregoing entities is a member, whether such entity is currently in existence or is to be created following the date hereof (collectively, the "Company"), desires to finance certain economic development facilities in the City, including (a) the design, construction, improvement and/or equipping of a new mixed-used development which includes a multifamily housing facility, consisting of approximately 279 units, providing approximately 226,000 sq. ft. of residential space, a parking garage facility with approximately 290 parking spaces, and approximately 1,875 sq. ft. of commercial or retail space, together with any related sidewalk, bike path and streetscape projects and improvements to integrate the mixed-used development into the City's 16 Tech Innovation District, and (b) all utility relocation, acquisition, construction, demolition, renovation, remediation, improvement, excavation, site work preparation and/or equipping projects related to the projects described in clauses (a) and any and all costs functionally related thereto (clauses (a) through and including (b), collectively, the "Project"); and

WHEREAS, the Project will be located within the previously established 16 Tech Innovation District in the downtown area of the City on approximately 4.3 acres of property located at 1350 Waterway Boulevard, Indianapolis, Indiana 46202, which is in City-County Council District 11, and is, or will be, located in or physically connected to a new allocation area, to be known as the Indy Innovation Apartments, LLC Allocation Area (the "Allocation Area"), expected to be created by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City (the "Metropolitan Development Commission"), within the Consolidated Redevelopment Project Area previously created and established by the Redevelopment Commission; and

WHEREAS, the Company has advised the Indianapolis Economic Development Commission (the "Economic Development Commission") and the City concerning the Project, and has requested that the City issue, pursuant to the Act, one or more series of its taxable or tax-exempt Economic Development Tax Increment Revenue Bonds, Series 2022 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued) (the "Bonds"), in an aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), for the purpose of providing funds to (a) pay all or a portion of the costs of the Project by making a portion of the proceeds of such Bonds available to the Company, (b) fund a debt service reserve fund or pay the cost of a premium for a debt service reserve fund surety policy (if necessary), (c) pay capitalized interest on the Bonds (if necessary), and (d) pay costs incurred in connection with the issuance of the Bonds and all incidental expenses therewith, including the cost of any credit enhancement with respect thereto (if necessary); and

WHEREAS, the Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Company, which facilities consist of the Project, and the Metropolitan Development Commission has been given the opportunity to comment thereon; and

WHEREAS, pursuant to Section 24 of the Act, the Economic Development Commission held a public hearing, following publication of a notice duly given (the "Public Hearing"), for the purpose of receiving evidence and testimony on the Project and matters related to the proposed financing thereof and heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, following such Public Hearing, the Economic Development Commission approved a report (the "EDC Report") and adopted a resolution (the "EDC Resolution") making findings that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, and that the Project will not have an adverse competitive effect or impact on any similar facility already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a trust indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Trustee"), in order to obtain funds necessary to provide for the financing of all or a portion of the Project in accordance with the terms of one or more financing agreements, each to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (each, a "Financing Agreement"), by and between the City and the Company with respect to the Project and the use of the proceeds of the Bonds; and

WHEREAS, pursuant to the Financing Agreement, the Company will make representations, warranties and commitments with respect to the Project and the use of the proceeds of the Bonds to be provided to the Company in accordance with the terms thereof; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Economic Development Commission for its approval the forms of the Bonds, the Indenture and the Financing Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Economic Development Commission's Resolution adopted on February 9, 2022, which Resolution has been transmitted hereto; and

WHEREAS, the City expects to pay for certain costs of the Bonds or costs related to the Project (collectively, the "Expenditures") prior to the issuance of the Bonds, and to reimburse the Expenditures with proceeds received by the City upon the issuance of the Bonds; and

WHEREAS, the City-County Council desires to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. §1.150-2, to the extent applicable, and Indiana Code §5-1-14-6(c); and

WHEREAS, based upon the EDC Report and the EDC Resolution, the City-County Council hereby finds and determines that the funding approved by the Economic Development Commission for all or a portion of the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance all or a portion of the costs of the Project, together with incidental expenses incurred in connection therewith, will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000); and

WHEREAS, the Bonds will be payable from the incremental property tax revenues derived from the Allocation Area; now, therefore:

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

SECTION 1. After considering the evidence presented in the EDC Report and the EDC Resolution, it is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof by the Company and/or the City to finance all or a portion of the Project, will: (i) result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) serve a public purpose, and will be of benefit to the health and general welfare of the City; (iii) comply with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; and (iv) not have a material adverse competitive effect on any similar facilities already constructed or operating in or near Marion County, Indiana.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council (the "Clerk") or the Controller of the City (the "Controller"). In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

SECTION 3. The City is authorized to issue the Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), with a maximum term not to exceed twenty-five (25) years and with a maximum interest rate not to exceed five percent (5.0%) per annum, all for the purpose of procuring funds to (a) pay all or a portion of the costs of the Project by making a portion of the proceeds of the Bonds available to the Company, (b) fund a debt service reserve fund or pay the cost of a premium for a debt service reserve fund surety policy, if necessary, (c) pay capitalized interest on the Bonds, if necessary, and (d) pay all incidental expenses incurred on account of the issuance of the Bonds and acquiring any credit enhancement with respect thereto. The Bonds shall be payable as to principal and interest solely from incremental property taxes derived from the Allocation Area, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. Pending the issuance of the Bonds,

the City may issue, if necessary, one or more series of bond anticipation notes (the “BANs”), with a maximum aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), with a maximum term of any series of BANs not to exceed two (2) years after the date of delivery thereof, subject to renewal up to the date which is five (5) years from the date of delivery of the initial BANs, and with a maximum interest rate not to exceed five percent (5.0%) per annum, all for the purpose of procuring interim financing to pay all or a portion of the Project, together with any incidental expenses related thereto or incurred on account of the issuance of the BANs, which BANs shall be payable as to principal and interest solely from the proceeds of the Bonds, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. Neither the Bonds nor the BANs shall ever constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed five percent (5.0%) per annum, and with a final maturity date no later than twenty-five (25) years from the date of the issuance of any series of the Bonds. One or more bond purchase agreements and/or one or more qualified entity purchase agreements, each in form and substance acceptable to the Mayor and the Controller (collectively, the “Purchase Agreements”), are hereby authorized and approved, and the Mayor and the Controller are hereby authorized and directed to execute and deliver the Purchase Agreements in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into one or more continuing disclosure undertaking agreements, in compliance with Rule 15c2-12 of the Securities and Exchange Commission, which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

SECTION 5. The Mayor and the Clerk are authorized and directed to execute the Financing Documents, and the Mayor, the Controller, the Clerk and any other officer of the City are authorized and directed to execute such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Mayor, the Clerk, the Controller and any other officer of the City are authorized to arrange for the delivery of the Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor or the Clerk without further approval of this City-County Council or the Economic Development Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Subject to the provisions of Sections 5 and 13 of this Ordinance, if necessary or desirable, a Preliminary Official Statement of the City relating to the Bonds (the “Preliminary Official Statement”), in a form acceptable to the Mayor, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by the Mayor pursuant to Sections 5 and 13 of this Ordinance, (b) authorized and approved, as the same may be appropriately confirmed, modified and amended pursuant hereto, for distribution as the Preliminary Official Statement of the City, (c) authorized to be deemed and determined by the Mayor on behalf of the City, as of its date, to constitute the “final” official statement of the City with respect to the Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the “SEC Rule”), and (d) authorized and approved, consistent with the provisions of any Purchase Agreement and the SEC Rule, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Bonds (the “Official Statement”).

SECTION 8. Subject to the obligations of the Company set forth in the Financing Agreement and/or the certificates or agreements of the Company to be executed upon the issuance of the Bonds, if any of the Bonds are issued on a tax-exempt basis for purposes of federal income taxation, the City will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute “arbitrage bonds” under Section 148 of the Code and the regulations promulgated thereunder, or to preserve any other desired tax status under the Code. The Mayor, the Controller and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with

any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 9. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation its Economic Development Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation its Economic Development Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any at them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 10. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 12. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 13. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved. The Mayor or his designee is hereby authorized to enter into one or more project agreements with the Company, on terms and conditions acceptable to the Mayor, together with any all changes as may be necessary, desirable or appropriate, which shall be evidenced by his execution thereof.

SECTION 14. The City-County Council hereby declares its official intent, to the extent permitted by law, to issue the Bonds in one or more series or issues, not to exceed the maximum aggregate principal amount authorized herein, and to reimburse costs of the Project consisting of the Expenditures from proceeds of the sale of the Bonds.

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

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 55 and 56, 2022 on March 1, 2022. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 55, 2022. The proposal, sponsored by Councillor Osili, establishes the Stutz 1 Economic Development and Allocation Areas, to allow tax increment bond financing for the Stutz 1 mixed-use redevelopment project, located at 1060 North Capitol Avenue (District 11), which will include retail and dining space, coworking space, event space, and fitness/lifestyle space. PROPOSAL NO. 56, 2022. The proposal, sponsored by Councillor Osili, approves the issuance of developer-backed tax increment financing (TIF) bonds in an amount not to exceed \$12,321,000 for the proposed Stutz Factory Building redevelopment mixed-use development, including retail and

dining space, coworking space, event space, and fitness/lifestyle space, located at 1060 North Capitol Avenue (District 11), in the proposed Stutz 1 economic development and allocation areas. By votes of 9-2, the Committee reported the proposals to the full Council with do pass recommendations.

Councillor Boots asked for consent to abstain from voting on both proposals in order to avoid the appearance of a conflict of interest. Consent was given.

Councillor Adamson asked who cast the negative votes on this proposal and their reasoning. Councillor Mowery said that he and Councillor Hart cast the negative votes. He said that he is concerned that they are purchasing the property, but then asking the Council to put the financial burden on the backs of taxpayers. Councillor Hart agreed and said that TIF guidelines have a “but for” clause that indicates the development would not happen without the use of TIF dollars, however, this developer would still develop the building if the TIF was not approved, and he feels that should disqualify their ability for a TIF, and they have taken this a little out of order, as development has already begun. He said that this seems an afterthought. He said he has supported other TIF-funded projects, but could not support this one, as it had already begun with construction and would happen anyway.

Councillor Gray asked if renovation of the structure was part of the original blueprint of this development, or in addition to. Mr. Carr said that this is the first phase of a capital renovation of the full redevelopment of the current Stutz building. It does not anticipate an additional building.

Councillor E. Evans asked if the original renovation of this building used TIF financing. Mr. Carr said that was before his time in city employ and he does not know. Councillor Gray said that TIF districts had not been established when the Stutz building was originally built.

Councillor Lewis moved, seconded by Councillor Oliver, for adoption. Proposal Nos. 55 and 56, 2022 were adopted on the following roll call vote; viz:

*17 YEAS: Adamson, Barth, Brown, Evans-J, Graves, Gray, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Oliver, Osili, Potts, Ray, Robinson
6 NAYS: Annee, Bain, Dilk, Evans-E, Hart, Mowery
1 NOT VOTING: Boots
1 ABSENT: Carlino*

Proposal No. 55, 2022 was retitled GENERAL RESOLUTION NO. 6, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 2022

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving (i) a Declaratory Resolution and Economic Development Plan of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) and (ii) the determination of the Commission that an area within the City of Indianapolis, Indiana is an allocation area within an economic development area.

WHEREAS, on December 1, 2021, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), being the governing body of the Redevelopment District, adopted a declaratory resolution No. 2021-E-021 (the “Declaratory Resolution”) initially approving an Economic Development Plan (the “Plan”) for the Stutz 1 Economic Development Area (the “Area”) and declaring that the Area be designated as an allocation area (the “Allocation Area”) pursuant to Indiana Code 36-7-15.1, as amended (the “Act”);

WHEREAS, the Act requires approval of the Declaratory Resolution, the Plan and the establishment of the Allocation Area by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “Council”);

WHEREAS, the Declaratory Resolution and Plan have been submitted to this Council; now, therefore:

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

SECTION 1. The Declaratory Resolution and Plan for the Area are in all respects approved, ratified and confirmed by the Council.

SECTION 2. The determination of the Commission that the Area described in the Declaratory Resolution is an allocation area pursuant to the Act is in all respects approved, ratified and confirmed by the Council.

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

Proposal No. 56, 2022 was retitled SPECIAL ORDINANCE NO. 2, 2022, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 2022

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis and of Marion County, Indiana, authorizing the issuance of one or more series of its City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022 (Stutz 1 Project) (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued), in a maximum aggregate principal amount not to exceed Twelve Million Three Hundred Twenty-One Thousand Dollars (\$12,321,000), for the purpose of providing funds to pay the costs of the Project (as defined herein) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the “Act”) declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the “City”), is authorized to issue revenue bonds for the purpose of financing, reimbursing, or refinancing the costs of acquisition, construction, renovation, installation, and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, MTP – Stutz Propco, LLC, and/or one or more affiliates and/or designees (collectively, the “Developer”), has informed the City that it will be redeveloping the existing Stutz Factory Building into a mixed-use development consisting of approximately 12,000 square feet of retail and dining space, approximately 27,000 square feet of coworking space, approximately 17,000 square feet of event space, and approximately 15,000 square feet of fitness/lifestyle space, located at 1060 N. Capitol Avenue in the City, together with all necessary appurtenances, related improvements and equipment, and incidental expenses in connection therewith (the “Project”); and

WHEREAS, the Project will be located on approximately 3.8 acres of property located at 1060 North Capitol Avenue, Indianapolis, Indiana 46202, which is in City-County Council District 11, and is, or will be, located in or physically connected to the Stutz 1 Economic Development Area and the Stutz 1 Allocation Area, an allocation area (the “Allocation Area”) as established by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City; and

WHEREAS, Developer has advised the Indianapolis Economic Development Commission (the “Commission”) and the City concerning the Project and requested that the City issue one or more series of its Economic Development Tax Increment Revenue Bonds, Series 2022 (Stutz 1 Project) (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued), in an aggregate principal amount not to exceed Twelve Million Three Hundred Twenty-One Thousand Dollars (\$12,321,000) (the “Bonds”) under the Act, and make the proceeds of the Bonds, exclusive of cost of issuance, available to Developer for construction or reimbursement of the costs of financing a portion of the Project; and

WHEREAS, the Commission has rendered its report regarding the proposed financing of the Project as an economic development facility for Developer and the Metropolitan Development Commission of Marion County, Indiana, as Plan Commission, and the Superintendent of the Indianapolis Public Schools have been given an opportunity to comment thereon; and

WHEREAS, the Commission has heretofore conducted a public hearing in accordance with Indiana Code 36-7-12-24 and adopted its resolution subsequent thereto finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City; and

WHEREAS, the Commission has heretofore approved and recommended the adoption of this form of ordinance by this City-County Council, has considered the issue of adverse competitive effect, and has approved the forms of and has transmitted for approval by the City-County Council, the Financing Documents (as hereinafter defined); and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance and reimburse a portion of the Project by issuing the Bonds; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (collectively, the "Reimbursement Regulations") specify conditions under which a reimbursement allocation may be treated as an expenditure of proceeds of Bonds, and the City intends by this ordinance to qualify amounts advanced by it to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, the Act provides that such Bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a Trust Indenture, to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Bond Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Bond Trustee"), in order to obtain funds necessary to provide for the financing of a portion of the Project, in accordance with the terms of a Financing Agreement, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Financing Agreement"), by and between the City and Developer with respect to the Bonds and the Project; and

WHEREAS, pursuant to the Financing Agreement, Developer will make certain representations, warranties, and commitments with respect to the Project which will permit the City to derive incremental real property tax revenues from the Project within the Allocation Area (the "Stutz 1 TIF Revenues"), sufficient to pay principal of and interest on the Bonds, as the same become due and payable, and to pay administrative expenses in connection with the Bonds, as further described herein; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement, or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16;

WHEREAS, there has been submitted to the Commission for its approval forms of the Bond Indenture, the Bonds and the Financing Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Commission's Resolution adopted on February 9, 2022, which Resolution has been transmitted to the City-County Council; and

WHEREAS, prior to the issuance of the Bonds, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City, will pledge eighty percent (80%) of the Stutz 1 TIF Revenues as the sole payment of interest on and principal of the Bonds (the "Pledged TIF Revenues"); and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the City-County Council hereby finds and determines that the financing and reimbursement approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act, and the amount necessary to finance and reimburse a portion of the costs of the Project will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed Twelve Million Three Hundred Twenty-One Thousand Dollars (\$12,321,000); now, therefore:

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

SECTION 1. It is hereby found, determined, ratified, and confirmed that the financing and reimbursement of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof to finance and reimburse a portion of the Project (i) will result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) will serve a public purpose, and will be of

benefit to the health and general welfare of the City; (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council or City Controller. In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the City-County Council for public inspection.

SECTION 3. The City shall issue its Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Twelve Million Three Hundred Twenty-One Thousand Dollars (\$12,321,000), with a maximum term not to exceed twenty-five (25) years from the date of issuance and with a maximum interest rate not to exceed six and one-half percent (6.5%) per annum, for the purpose of procuring funds to finance the Project and costs of issuance of the Bonds, which Bonds will be payable as to principal and interest solely from the Pledged TIF Revenues, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Bonds shall be purchased by and delivered to the Developer. The Bonds shall be subject to optional redemption as set forth in Section 5.1 of the Bond Indenture.

SECTION 4. The City reasonably expects (as defined in Treasury Regulation 1.148-1(b)) to use the proceeds of the Bonds to reimburse expenditures for the Project as made prior to the completion of the final financing package for said Project (a "Reimbursement Expenditure"). The City reasonably expects to reimburse each Reimbursement Expenditure with funds made available as a result of such Bonds and intends that this statement be a declaration of official intent under Treasury Regulation 1.150-2(e). There are no funds from sources other than the Bonds that are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside of the City or by any member of the same controlled group (as defined in Treasury Regulation 1.150-1(e)) as the City pursuant to their budget and financial policies with respect to any Reimbursement Expenditure.

SECTION 5. The Mayor, the Controller, and any other officer of the City are authorized and directed to execute the Financing Documents, such other documents approved or authorized herein and any other document which may be necessary, appropriate, or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Controller, and any other officer of the City on the Bonds which may be necessary or desirable to consummate the transactions, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Controller, and any other officer of the City on the Bonds may be facsimile signatures. The Mayor, the Controller, and any other officer of the City are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the respective Financing Documents. The Mayor, the Controller, and any other officer of the City may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor, the Controller, or any other officer of the City without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the respective interest thereon remains unpaid.

SECTION 7. The Mayor and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances, and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 8. No recourse under or upon any obligation, covenant, acceptance, or agreement contained in this ordinance, the Financing Documents, or under any judgment obtained against the City, including without limitation the Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation the Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof.

or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 9. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 10. All ordinances, resolutions, and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 11. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the City-County Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held, and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 12. The Mayor, the Controller, the Clerk, and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute and deliver such further documents and to take such further actions as such person deems necessary or desirable to effect the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

SECTION 13. This Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 57, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 57, 2022 on March 1, 2022. The proposal, sponsored by Councillor Bain, approves the statement of benefits of Stanley Epler LLC, an applicant for tax abatement for property located in an economic revitalization area. By a vote of 11-0, the Committee reported the proposal to the full Council with a do pass as amended recommendation.

Councillor Gray asked about the address for this property. Mr. Carr said that it is in the 5500 block of Stanley Avenue in the Ameriplex complex.

Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 57, 2022 was adopted on the following roll call vote; viz: Lewis/Adamson

24 YEAS: Adamson, Annee, Bain, 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:

0 NOT VOTING:

1 ABSENT: Carlino

Proposal No. 57, 2022 was retitled GENERAL RESOLUTION NO. 7, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 2022

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of Stanley Epler LLC, a wholly-owned subsidiary of Molto Properties, LLC and an affiliate of Molto Properties Fund IV, LLC (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted a real property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

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

SECTION 1. The Council hereby approves the Statements of Benefits that were submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Stanley Epler LLC.

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

PROPOSAL NO. 58, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 58, 2022 on February 22, 2022. The proposal, sponsored by Councillors Hart, Boots, Barth and Bain, mandates that city departments provide the Council with annual accountability reporting on the expenditure of American Rescue Plan Act (ARPA) funding. By a vote of 12-0, the Committee reported the proposal to the full Council with a do pass recommendation.

Councillors Adamson, Annee, J. Evans, Mowery and E. Evans asked to be added as co-sponsors.

Councillor Boots said that this is sound public policy and he is proud to co-sponsor this oversight of \$420 million with bi-partisan support. He urged fellow Councillors to support and said that more updates are needed on the expenditure of these funds.

Councillor Hart said that he appreciates Councillor Boots' comments, and there are a lot of opportunities with these dollars, but he wants to make sure they get the most out of these dollars and see what works going forward.

Councillor Mascari moved, seconded by Councillor Boots, for adoption. Proposal No. 58, 2022 was adopted on the following roll call vote; viz:

24 YEAS: *Adamson, Annee, Bain, 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:
1 ABSENT: *Carlino*

Proposal No. 58, 2022 was retitled GENERAL RESOLUTION NO. 8, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2022

PROPOSAL FOR A GENERAL RESOLUTION to mandate that City departments provide the Council with annual accountability reports.

WHEREAS, the 2022 budget is complemented by one-time infusion of \$419,000,000, over a two (2) year period, from the American Rescue Plan Act; and

WHEREAS, from the American Rescue Plan Act \$150,000,000 will be directed to a three-year plan to reduce violent crime and improve public safety; and

WHEREAS, the remaining dollars from the American Rescue Plan Act will be directed towards various needs throughout the community to improve the quality of life for all residents and visitors in the City.

WHEREAS, the City government is comprised of over 317 business units receiving money from the 2022 budget and/or American Rescue Plan Act; and

WHEREAS, the City-County Council, as elected stewards of the City's one-time infusion, continue to determine which programs meet performance expectations or, conversely, fall short of aspirations and utilize those findings into in future budgetary decisions; and

WHEREAS, the City County Council has an obligation to the citizens and taxpayers of the City to seek accountability that tax monies spent to accomplish the department and agency's set priorities are effective; now, therefore:

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

SECTION 1. The Mayor's Office shall present an annual report to a Full Council meeting explaining the data and metrics demonstrating progress in accomplishing set priorities related to the expenditures from the American Rescue Plan Act funds.

SECTION 2. Departments and agencies who received American Rescue Plan funds shall present quarterly reports to assigned council committees at the discretion of the Committee Chairperson.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana 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:

- (1) Councillor Mascari in memory of John Ciriello and Kimberly Sturm; and
- (2) Councillor Lewis in memory of Delores Blaine; and
- (3) Councillor Osili in memory of Bennett Johnson and Ed Tipton; and
- (4) Councillor Mowery in memory of Ellavon Dale Storms.

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 John Ciriello, Kimberly Sturm, Delores Blaine, Bennett Johnson, Ed Tipton, and Ellavon Dale Storms. 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 8:33 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 7th day of March, 2022.

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


President

ATTEST:

(SEAL)



Clerk of the Council