



April 3, 2022 Questions & Answers

Economic Development

Q: Are there other efforts in place to further beautify the Pendleton Pike area? The former self-serve car wash/dog wash come to mind as a place for help. Any plans to add green space to this area to promote more of a sense of community?

A: *The Indiana Department of Transportation (INDOT) is developing a targeted access management project to reduce crashes and improve pedestrian connectivity in Marion County along Pendleton Pike, also known as U.S. 36 and State Road 67. Data has shown this five-mile stretch of Pendleton Pike from I-465 to 65th Street has more frequent and severe crashes than the statewide average.*

This project titled Pendleton Pike Progress is designed to improve safety and mobility along Pendleton Pike. INDOT will be replacing sections of the current center turn lane with raised landscape medians. Motorists looking to turn left along Pendleton Pike would instead drive to the nearest intersection to turn left or make a legal U-turn. Green arrows at the signals will assist left-turning traffic, or drivers can yield and wait for a gap in oncoming traffic. The project will also connect missing sidewalk sections along Pendleton Pike near the 56th Street intersection and improve curb ramps at intersections, providing area residents with better access to local businesses.

Pendleton Pike Progress is in the environmental and design stage. Construction is expected to begin no earlier than 2024 and last up to two years.

Regarding the car wash/dog wash; the Redevelopment Commission (RDC) made an attempt to purchase the aforementioned property at fair market value in 2021. Unfortunately, we were unable to come to an agreement with the owner. The City and the RDC continue to look for a way to secure the property and to identify a desirable redevelopment project.

Q: Has the City looked into providing economic incentives for developers to build AFFORDABLE housing? Have any possible locations been discussed?

A: *The City is very conscious of a need for continued development of “affordable housing.” As stated by both the Mayor and the Chief of Staff at Monday evening’s Town Hall, we are fortunate to have the Cohron family leading this charge with their latest subdivision.*

It is nearly impossible for us to tackle this problem until significant financing can become available to allow us to seriously address the City's ongoing stormwater and wastewater capacity issues. Not only are we virtually landlocked as a City, but the remaining greenspace available for any housing development cannot currently be permitted for development, because we simply don't have the capacity to send any more wastewater downstream. This is largely a funding issue out of the control of the administration.

Finances/Budgets

Q: Now that the council has removed and blocked your funding in its entirety, what projects will you be able to fund and complete as you finish your last term as Mayor of Lawrence?

A: *The Council's recent actions have put a halt to several important projects for the City. In 2022 the Council rescinded their approval of General Obligation bonds. This resulted in a loss of \$3.6 million in funding for the project. These tax backed bonds were a unique opportunity to raise funding while resulting in no increase in property taxes. The largest and most immediate need that has been blocked is completing a full reconstruction of the Community Park parking lot off of Franklin Rd.*

With the General Obligation bonds rescinded we also lost the ability to fund:

- *Paving the parking lots at Veterans Park*
- *Expanding Pickleball by installing 8 additional courts at Lee Rd Park*
- *Investment in ADA accessibility in our parks – including Community Park, Alexander Park, Veterans Park, and Lee Rd Park*
- *\$1.2 million in Street department facility upgrades including parking lot reconstruction and proper storage facilities for vehicles*

With ARP currently blocked we are losing the ability to fund:

- *\$1 million in street paving*
- *Significant stormwater investments*
- *\$1 million in Public Safety vehicle needs*
- *Completing the Cities first trail that would run alongside Lee Rd and 63rd – Delaying this may result in lost grant funding opportunities in the future.*

Q: Please clarify how and when it was communicated to the Common Council members that they had failed to provide a breakdown of city spending within departments, and that the 2022 budget could not be submitted until that was done. Thank you!

A: *On October 25th, the day of the budget adoption, my Deputy Controller attempted to contact a Council Member regarding the line items. He then reached out to the Council's Financial Advisor but didn't receive those cuts. Keep in mind, we didn't receive the ordinance that removed the line items until about 30 minutes prior to the Council meeting starting. After the meeting there was some confusion about which ordinance was passed. Our Fire Chief also contacted the Council's attorney to verify the ordinance without the line items provided was the final version. Their attorney confirmed that it was.*

Passing the budget ordinance is a function of the Council as the legislative and fiscal body of the City. The State statute is clear that line items are needed and so our expectation is that the Council and their attorney are aware of that need. A similar situation occurred during the 2017 budget process and the same law firm representing the Council did agree that the line items

needed to be identified and the Council, at that time, cut the budget correctly. Many of those members are on the Council today.

After the state certifies the budget, they publish it in 3 different locations. Our adopted budget book on our website would also show the budget was not what the Council passed. The Council's financial advisor hosted a budget workshop in May 2022 that highlighted the budget reversion, and we received no questions during that time. Additionally, we hosted 18 budget workshops for the 2023 budget where we also discussed the 2022 budget.

With all this information publicly available, we operated 2022 under the impression that the Council was aware the budget reverted.

Q: Please clarify the statement made by Councilor Denney at their March 6th meeting. "Councilor Denney stated that the budget reversion resulted in a property tax increase. What caused this increase?"

A: The administration is not sure where Councilor Denney would be seeing a property tax increase for 2022. In most cases, a budget reversion will result in a property tax decrease. This is due to how property taxes work in Indiana. In 2021 the City of Lawrence Property tax rate was .7705. The budget reversion caused that rate to drop to .7257 in 2022. This is a reduction of nearly 6%.

Q: What does the investigation into the 2022 budget have to do with the allocation of ARP funds for 2023 projects as outlined and submitted by depts?

A: In the administration's opinion, the Council's investigation into the 2022 budget and the allocation of 2023 ARP funds are unrelated. The Council recently amended the City's ARP Fund Plan to prevent use of ARP funds in 2023 and delay all use until 2024. Any questions regarding these changes may be directed to the Council.

Q: During the Council meetings, there is frequent talk of an investigation. What is the investigation about and is it necessary?

A: While the Council is able to investigate the reasons why the 2022 budget reverted to the budget that the Council adopted in 2021, the administration and its legal team have explained to the Council multiple times why the 2022 budget reverted. The administration recently filed a publicly available judicial petition detailing the events. In addition, the Mayor, Controller, and Deputy Controller have all sat for depositions and provided financial documents and emails to the Council.

The administration is confident that the Council did not pass a 2022 budget ordinance with the line-item detail required by law. The Controller's office was unable to unilaterally create the line-item information necessary to submit the budget ordinance via the required Gateway platform, which doesn't allow for line-item detail to be omitted. As a result of the Council's line-item omissions, the 2022 budget reverted to the budget adopted for 2021.

There is also an ongoing dispute between the Council and administration concerning the Council's attempt to appropriate funds without the Mayor's recommendation, as required by law. While Indiana law allows the Council to conduct an investigation and hire outside firms to assist, nothing in the law says that the Council may unilaterally appropriate more money to pay

these outside firms once its budget has been depleted. The Mayor will not recommend any additional funds for an “investigation” that has already been answered now the subject of a court proceeding.

To avoid endless debate with the Council, the administration filed a Petition in the Marion Superior Court asking a 5-judge panel to resolve these disputes between the administration and the Council. The administration is focused on moving the City of Lawrence forward and hopes that a judicial determination will allow City and Council leaders to focus more time, energy, and resources on important projects and initiatives.

Public Safety

Q: Hello, Weeks before and after the 4th of July, in the neighborhood where I live about 50th and Franklin Rd. A person who sets off something I was told is an EARTHSHAKER. Sometimes several times a day and night. It is very, very loud and rumbles the house. And scares the dogs and me. What (if anything) can be done about this type of fireworks near other people’s homes and animals? I cannot tell which person or house it happens at, and I’m much too old and alone to confront someone that enjoys their fireworks. Thanks for the possible help.

A: *We understand the serious harmful effects of illegal fireworks in our city. Lawrence citizens are more than annoyed by the loud disturbance of fireworks in their neighborhoods. They can have a particularly negative effect on vulnerable people such as our honorable military veterans, hard-working people who need undisturbed sleep to prepare for work early in the morning and elderly residents easily frightened by loud sounds. Our pets, who experience anxiety and stress induced by fireworks sounds, can also be victimized. Fires are also a predictable result of illegal fireworks. Dry yards, rooftops and mulch beds can be ignited by fireworks.*

The use of fireworks in our city is strictly governed by state law and local ordinances (attached). Adults and children who violate these laws can and will face criminal and civil consequences for their illegal, thoughtless, and unsafe actions. We encourage our citizens to immediately report unlawful or unsafe use of fireworks. Our 911 Communications Operators are instructed to dispatch police officers to investigate these incidents. Officers are instructed to adopt a “zero tolerance” approach to enforcement. No verbal warnings will be given. Issuance of citations or arrest (when applicable) will be the only acceptable.

By reporting the location of fireworks, and describing those involved, our officers will have a better chance to stop the offenders. This activity is often difficult to interrupt because it often happens so sporadically and in back yards or other areas not in public view. By working together, our citizens and police officers can have an impact in this unlawful and unsafe activity.

Q: What happened to ARPA funding as it relates to public safety? How will and changes affect public safety?

A: *In February, the administration pushed for an amendment to the ARP Fund Plan to provide for public safety vehicle replacement and education/training in 2023, but the Council refused to place these requests on its agenda. The Council’s recent amendment to the ARP Fund Plan precludes the use of any ARP funds for public safety purposes in 2023.*

Q: Why does the city attorney not have the resources to defend LPD officers? What is the city's plan moving forward?

A: The Council recently transferred legal service monies to a fund to be used for "official records," without the request of the administration. These funds are typically used to pay the City's insurance company and outside law firms, as needed, to defend the City and its employees against lawsuits and other claims. The administration must be able to fully fund and support legal defenses. The administration will seek fund transfers or additional appropriations as needed in order to vigorously defend all lawsuits and claims, including claims against the City's public safety departments and officers.

Streets/Utilities

Q: Are there plans to make 56th from Arlington to Boy Scout Road safer for pedestrians and cyclists? If so, when can we expect to see those improvements?

A: 56th Street is a throughfare and is under Indianapolis jurisdiction. Lawrence is only responsible for maintenance of this street. Also 56th St. from I-465 to the west within the Indianapolis City limits. Please reach out to Indy DPW with this request.

Q: Is there any consideration being given to round-a-bout construction on Carrol Rd, especially at 86th St?

A: A roundabout is under consideration, and we are talking to the City of Indianapolis and Town of McCordsville about a cost sharing option as this intersection falls within their boundaries as well. At this time, we are still in the discussion phase and no time frame is available for when this will be built.

Q: When are you going to re-pave the crumbling streets? Not just pothole filling or strip patching. We deserve more for our tax dollars.

A: Funding for streets primarily comes from Local Roads and Streets (LRS) and Motor Vehicle Highway (MVH) Distributions from the state. These distributions are based on lane miles, vehicle registration, and gas tax that's collected from within the City of Lawrence. This is a fixed amount of money received each year and this funding does not give us enough to complete all necessary projects, so we continuously look for various grant programs and funding options.

One such grant that we have been applying for and were fortunate enough to receive is Community Crossing Matching Grants (CCMG) from INDOT which provides up to a million-dollar match for resurfacing streets. This grant program helps us double the money to spend on fixing streets. Through this grant program between 2016-2022, we have spent approximately 5 million on resurfacing streets out of which 2.5 million was our match.

We submitted for CCMG grants for 2023 and are awaiting notification. If approved we will do another 2 million dollars worth of resurfacing, this year out of which 1 million will come from our street funds.

The streets for resurfacing under this program are determined through a pavement rating system that is approved by INDOT and is a requirement to apply for these grants. We rate our streets annually and we pick the streets with the lowest rating first to submit for the grant.

We also set aside around \$300K every year for strip patching for streets that don't qualify for the CCMG grants as well as for sidewalk repairs.

Q: Are there plans to update 56th Street? The road is very bumpy after years of patches, the medians and curbs could use some TLC, and the light poles could use a coat of paint. Many of the light poles have paint missing at the base. All of this creates an unkept look for the "main street" of Lawrence.

A: 56th is a throughfare and under Indianapolis jurisdiction. The City of Lawrence is only responsible for maintenance that includes patching, which we have been doing every year. Anything more than that, is beyond what our street department budget can, however we have been talking to Indianapolis about the need to reconstruct 56th Street. They and they have already fixed the concrete section between Boy Scout Road and I-465.

The Street Department started uh painting the light poles in spring of last year and plans to continue the upkeep as weather permits. The top priority is to maintain our streets and as time permits, we will get back to painting the poles.

Q: When the new Lawrence School bus Depot was built the stub for an alternate road to our Traditions subdivision was built over. That was not supposed to happen and was discussed at the public meetings regarding the sale of the property and development of the bus depot. We now have only one entrance/exit. Request that the alternate road be accommodated.

A: That stub was put there by the developers because they intended on purchasing the property to the east and expanding the subdivision, not as a secondary exit. The City is not aware of and has no record of a commitment from Poindexter or the School to provide a secondary exit from Traditions. The Transportation Depot was built according to the released plans which has a berm along the western edge of the property providing the residents of Traditions with a noise barrier and privacy.

Q: Can the city please trim back the vegetation and remove dead trees along Fox Road? There are weeds/bushes that come around the guard rails and are starting to encroach on the roadway. The dead trees pose a safety issue for motorists and walkers.

A: Overgrown vegetation in summer and potholes in winter are never-ending issues for all cities. To help us better address these issues, report concerns by visiting the city's website at <https://www.cityoflawrence.org/> and go to Quick Links, Potholes/Street Issues.

Q: At one time, I read that there was a proposal to prohibit any more buy-here-pay-here car lots along Pendleton Pike. Did that ordinance go into effect?

A: No new buy-here pay-here car lots were approved after the ordinance went into effect, however, the existing lots can remain.

Q: When will the potholes on Pendleton Pike (Shadeland to 465), 46th to 49th and Shadeland and 49th Street (David to Leone Dr.) be repaired? These roads have been in despair for a while. Thank you.

A: Since the beginning of 2023, 1,955 potholes have been filled. Over 30 tons of Hot Mix Asphalt (HMA) was used in March alone. Potholes are addressed in the order received and by order of

priority. Please report concerns by visiting the city's website at <https://www.cityoflawrence.org/> and go to Quick Links, Potholes/Street Issues.

Q: I have concerns about the safety of our neighborhoods. How do you go about requesting adequate streetlights and speed bumps in our neighborhoods?

A: Please submit a request through City's website or email specific request to permits@cityoflawrence.org. The Department of Public Works and Street Department will review each request and respond accordingly.

Q: Would it be possible to paint stop bars (white -indicating where to stop) at stop lights - e.g., Post and 56th? Also, reflective lane dividers? Many places it's hard to know where lanes are.

A: With the current work being done on Post Road for the Purple Line, many issues will be addressed as the project progresses. Reflective lane dividers are installed when paving is completed.

Q: What is happening with 46th & Franklin Road intersection - with railroad tracks - 46th has had several accidents.

A: At this time, no project is planned for this intersection. However, we are starting to work on an overall safety master plan which will look at all intersections within the city, identify the safety issues, and come up plans to address such issues.

Q: Why are cars being allowed to park on lawns in residential neighborhoods - Code? (Resident lives near Kitley - neither Indy nor Lawrence will help).

A: Parking is allowed on all city streets that are not designated as No Parking streets through an ordinance. Report concerns to the Department of Public Works at permits@cityoflawrence.org.

Q: Please provide an update on the Entrance to Maison Gardens - lack of drainage when it rains. What is the possibility of Maison Gardens building a sidewalk on the opposite side of the current sidewalk in Maison Gardens. The current sidewalk has a locked gate and is on the opposite side where the school bus drops off the students.

A: The storm pipes and manholes in front of Madison gardens will be cleaned in the coming weeks which should help with the flooding issues at the entrance. This has already been assigned to a contractor.

Q: I was wondering when our water will improve? The dried water has been light brown. I know you were working on the water treatment tank on 59th but wonder when that will improve our water?

A: Although we have completed major improvements at all our water treatment plants, storage facilities and well fields, we still have a long way to go with improvements to our distribution system. We have replaced around 7 miles of old water mains, predominantly in the older parts of the city, but we have about 216 total miles of water main and while we are making progress, there are still a lot of old water mains that must be addressed. We have seen a noticeable reduction in "rusty" water complaints, and we expect to see that trend improve as more old water mains are replaced. But this is a process that is going to take time to achieve optimal results and until we reach that point, there will likely continue to be "rusty water" issues come

up. Customers should contact us when these types of incidents arise so that we can dispatch crews to take appropriate action, such as targeted main flushing in the affected area.

Q: West Hill Drive is a mess. When will it be paved?

A: The asphalt contractor for the recent sewer project has already mobilized and is addressing disturbed roadways in the various project locations. Your street will be back to normal this spring. Typically, restoration of roadways, sidewalks, yards, and other areas affected by the project happens at the end of the project.

Q: Yard dug up in fall when sewers were replaced, dirt has sunk considerably, more dirt is needed. The street was torn up and has not been repaved, total mess. Lawrence needs massive cleanup. (Hill St.)

A: As I noted above, with the sewer project that impacted East and West Hill drives, the contractor is at the end of the project and restoration activities are ramping up. Some roadways have already been repaired and we expect the contractor will have all restoration work completed this spring.

Quality of Life

Q: Is there a senior activity group that meets regularly in Lawrence?

A: Unfortunately, the Lawrence Senior Activities who met at the Lawrence Community Center, dissolved in 2022 after nearly 40 years of programming. We do have a group that still meets each Tuesday afternoon to play bingo at the Lawrence Community Center. Please contact Juanita Sparks at 317 – 408-5203 to become involved. An active group of seniors meet each Wednesday to dance and clog at the Lawrence Community Center, please contact Elaine Paugh 317-508-6958.

Q: Can we expect to see trails or sidewalks built to connect the neighborhoods south of Fox Rd with the Fox Rd area to make it safer for both children and adults who walk to the shopping plaza?

A: We invite the community to review the City of Lawrence Trails masterplan which was approved in 2018. Within this plan was the construction of the Fox Road boardwalk. This project was completed through the federally funded Safe Routes to Schools Grant in 2021 at a completion cost of nearly 4 million dollars. The city is committed to continue to search for additional grants and funding sources to continue the connectivity which this impressive project has begun.

Q: Can the City of Lawrence install a sidewalk or trail running from Sunnyside Road to Lee Road alongside 63rd Street? Currently there is a gap in the sidewalk alongside 63rd Street from Sunnyside Road to Lee Road. Thanks.

A: In 2022 the City of Lawrence received funding through the Next Level Trail Grant from the State of Indiana Department of Natural Resources to construct a new trail system within Lawrence. This grant allocates 1.7 million dollars to be included with the local match from the City of Lawrence of \$500,000 dollars to construct a new trail system from 59th and Lee Road to 63rd and following 63rd to Winona Drive. The bids for this 1.2-mile trail will be taken in late fall of 2023, with construction beginning in January 2024. The anticipated completion date is

November of 2024. The installation of this new trail will allow for the connections along 63rd street and pave the way to joining Jenn Park with Lee Road Park and beyond.

Q: When will the library be open?

A: Currently construction for the Fort Benjamin Harrison branch of the Indianapolis Public Library is on schedule and the library is hoping to welcome people into the building in August of 2023. <https://youtu.be/H4szPtsDrLY>

Q: With the overturning of GO bond request, is there still a chance that the non-ADA compliant pathways at Veterans Park could still be brought up to date?

A: Unfortunately, with the overturning of the GO bonds, there is no 2023 funding available for ADA compliance improvements. Our hope is to identify funding for these pathways in our 2024 budget. We will be hosting budget workshops for our 2024 budget, and we hope members of the public attend and ensure their priorities, such as ADA complaint pathways, are heard by the Administration and Council.

Other

Q: It is my understanding that Council Meetings are to follow Robert's Rules of Order. Per Robert's Rules of Order: Board members can amend the agenda before or after someone makes a motion to adopt the agenda. To do this, any board member can motion to add items, delete items, or change things around. Once someone motions to amend the agenda, the board takes a vote, and the majority rules.

A: The Council has created its own set of rules to follow, which address procedural matters such as the introduction of ordinances and resolutions, and assignment of issues to Council committees. The Council has also adopted Robert's Rules of Order. As a self-governing body, it is up to the entire Council, as a whole, to waive or enforce the rules which it has adopted.

Q: Is the President out of order if he arbitrarily chooses to disregard the agenda item. On March 6, 2023, when he arbitrarily chose to not hear the Agenda Item "Comments of Councilors", on his own, and without a motion or any other member's input. When prompted by the Secretary to cover the agenda item, the president refused and told her "I'm not doing it today."

A: The administration will not opine as to whether the Council President followed the Council's rules and Robert's Rules of Order. This question may be directed to the Council for further response.

Q: When asked by a Councilor about the agenda item because she had a positive comment to make, the president shut her down and said, "I skipped that on the agenda today."

A: The administration can't answer this question, but it may be directed to the Council for further response.

Q: Why is the Council no longer allowing Comments of the Administration?

A: The administration can't answer this question, but it may be directed to the Council for further response.

Q: Is it a legal issue when President of Council arbitrarily choose to refuse to hear the agenda item for "Citizen's Comments" when a Citizen's Comments is on the agenda? On January 3rd Council Meeting, the President simply skipped Citizen's Comments and adjourned the meeting. When the Secretary mentioned the agenda item, he simply said "There are no citizens comments" after he adjourned the meeting. If an item is on the agenda, it should be covered.

A: *The administration will not opine as to whether the Council President followed the Council's rules and Robert's Rules of Order. This question may be directed to the Council for further response.*

Q: If the Council pledged transparency, are they hypocritical when the President was asked why he changed his mind on an ARPA plan and his answer was "it's my prerogative." I get it that everyone has a right to change their mind, but repeatedly refusing to answer a simple question as to why he changed his mind clearly lacks the transparency that he has repeatedly promised.

A: *The administration can't answer this question, but it may be directed to the Council for further response.*

Q: Is the Council's attorney a Member of Council? Why does she speak on topics during Council meeting because none of the other Councilors can explain a situation?

A: *The administration can't answer this question, but it may be directed to the Council for further response.*

Q: Why did the Council cancel the first meeting of April, thereby not giving Councilors, Administration or Citizens the opportunity to make public comments?

A: *At the March 22, 2023, Council Meeting, President Giles made the statement that since there is no further unfinished business and no further new business he decided that there will be no April 3rd meeting. He did state the Council would return at the midmonth meeting. Any additional questions about this can be directed to the Council for further response.*