

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, August 22, 1983**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:07 p.m., Monday, August 22, 1983. President SerVaas in the Chair. Councillor Stephen R. West opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-nine members being present, he announced a quorum.

PRESENT: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of August 1, 1983. There being no additions or corrections to the Journal, the minutes were approved as distributed.

OFFICIAL COMMUNICATIONS

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

**TO ALL MEMBERS OF THE CITY—COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, August 22, 1983, at 7:00 p.m. The purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY—COUNTY COUNCIL 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 Indianapolis NEWS and the Indianapolis COMMERCIAL on August 2 and 9, 1983, a copy of NOTICE TO TAXPAYERS of General Ordinance No. 79, 1983.

Respectfully,

s/Beverly S. Rippy
City Clerk

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY—COUNTY COUNCIL 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 Indianapolis NEWS and the Indianapolis COMMERCIAL on August 11 and 18, 1983, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 354, and 365, 1983, to be held on Monday, August 22, 1983, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY—COUNTY
COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 56, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Four Million Six Hundred Four Thousand Dollars (\$4,604,000) in the Community Services Program Fund for purposes of the Department of Metropolitan Development, Community Development Administration and reducing the unappropriated and unencumbered balance in the Community Services Program Fund.

FISCAL ORDINANCE NO. 57, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Two Million Three Hundred Four Thousand Dollars (\$2,304,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Economic and Housing Development Division and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

FISCAL ORDINANCE NO. 58, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Eight Hundred Sixty-seven Thousand Three Hundred Dollars (\$867,300) in the Park General Fund for purposes of the Department of Parks and Recreation Divisions and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 59, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Nine Hundred Thousand Dollars (\$900,000) in the Flood Control General Fund for purposes

of the Department of Public Works, Flood Control Division and reducing the unappropriated and unencumbered balance in the Flood Control General Fund.

FISCAL ORDINANCE NO. 60, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Seven Hundred Thousand Dollars (\$700,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

FISCAL ORDINANCE NO. 61, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Six Thousand Dollars (\$6,000) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 63, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) authorizing changes in the personnel compensation schedule (Section 2.03) of the Perry Township Assessor's Office.

FISCAL ORDINANCE NO. 64, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Marion County Home and Julietta Convalescent Center and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 80, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 2-44, Calendar and agenda.

GENERAL ORDINANCE NO. 81, 1983, amending the "Code of Indianapolis and Marion County, Indiana", by amending Chapter 8½, governing cable television by providing new procedures for making and considering applications for cable television franchises and changing the amounts required for the construction bond and security fund.

GENERAL ORDINANCE NO. 82, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

GENERAL ORDINANCE NO. 83, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours.

GENERAL ORDINANCE NO. 84, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours.

GENERAL ORDINANCE NO. 85, 1983, amending City-County General Ordinance No. 61, 1982, authorizing changes in the personnel schedule of the Decatur Township Trustee.

GENERAL ORDINANCE NO. 86, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 87, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 88, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 89, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 90, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 91, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing, and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 92, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way street and alleys designated and Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 93, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL RESOLUTION NO. 7, 1983, approving the use of approximately \$2,000,000 of federal funds available from the U.S. Marshals Service Cooperative Agreement Program for the construction of the sixth and seventh floors of the addition to the Marion County Jail.

Respectfully submitted,

William H. Hudnut, III
Mayor

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

PROPOSAL NO. 409, 1983. Councillor Tintera read the proposal which honors Robert Eichholtz. Councillor Tintera moved, seconded by Councillor Vollmer, for adoption. Proposal No. 409, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 67, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1983

A SPECIAL RESOLUTION honoring Robert Eichholtz.

WHEREAS, Robert Eichholtz was a member of the Marion County Tax Adjustment Board and a former member of the Metropolitan Development Commission and the Greater Indianapolis Progress Committee; and

WHEREAS, Mr. Eichholtz was instrumental in the purchase of the historic Lewis Levy Mansion at 2902 N. Meridian, now the home of Indianapolis Life Insurance, which had been scheduled to be torn down and replaced with a parking lot; and

WHEREAS, Robert Eichholtz was an outstanding member of the community who met an untimely death on July 30, 1983; now, therefore:

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

SECTION 1. The City-County Council honors Robert Eichholtz for a lifetime of outstanding service to his community and expresses its deep regrets to his family for his untimely passing.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 410, 1983. Councillor McGrath read the proposal honoring the Indianapolis Shakespeare Festival. Councillor McGrath moved, seconded by Councillor Borst, for adoption. Proposal No. 410, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 68, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1983

A SPECIAL RESOLUTION honoring the Indianapolis Shakespeare Festival for their 1983 summer performances at the Garfield Park Amphitheater.

WHEREAS, since its inaugural season in 1981 the Indianapolis Shakespeare Festival has played to over 20,000 people, with attendance at the 1983 performances estimated at more than 15,000; and

WHEREAS, this year's evening performances included "Measure for Measure" and "Twelfth Night"; and

WHEREAS, while sitting under the stars or picnicing on the grassy slopes in the Garfield Park Amphitheatre, the Indianapolis Shakespeare Festival makes timeless magic come to life for children and adults; and

WHEREAS, Artistic Director, Mr. David Edgecombe; General Manager, Melissa J. Perrey; Set Designer, David M. Finkel; Costume Designer, Catherine F. Norgren; Assistant Director, Virgene Cline; Music Director, Philip Spray; Fight Choreographer, Kerry Deardorff; Symposia Coordinator, Mark Fields; the approximately twenty members of the production staff, sixteen performers and hundreds of volunteers have helped make the 1983 Indianapolis Shakespeare Festival a most successful and memorable event; now, therefore:

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

SECTION 1. The City-County Council wishes the Indianapolis Shakespeare Festival continued success with their productions and encourages the Festival to continue its performances for many years to come at the beautiful Garfield Park Amphitheatre.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

[Clerk's Note: Councillor Dowden expressed his concerns regarding comments made by the attorney representing Methodist Hospital charging that the Council had acted fiscally irresponsible. Councillor Dowden reminded the Council of the recent bond issue rendering advice to the Hospital Authority concerning proposed tax exempt revenue bonds for Methodist Hospital of Indiana, Inc. in an approximate amount of \$75,000,000. Councillor Dowden conveyed his desire for an apology directed to the City-County Council in reference to the comments made by their attorney.

INTRODUCTION OF GUESTS

Councillor Howard introduced Democrat Candidate for District 23, Bernadette M. Price.

INTRODUCTION OF PROPOSALS

[Clerk's Note: Councillor Brinkman moved, seconded by Councillor Gilmer, to advance Proposals 377-382 and 384, on the agenda. Consent was given and the President referred the proposals to Special Orders, Final Adoption.]

PROPOSAL NO. 374, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the execution of a lease of the Indianapolis-Marion County Central Maintenance Garage after construction by the Indianapolis-Marion County Building Authority", and the President referred it to the Administration Committee.

PROPOSAL NO. 375, 1983. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Lou Gerig to the Indianapolis Public Transportation Corporation"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 376, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$4,000 for the Mayor's Office to purchase supplies to continue normal operations"; and the President referred it to the Administration Committee.

PROPOSAL NO. 383, 1983. This proposal was withdrawn on August 18, 1983.

PROPOSAL NO. 385, 1983. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District of Indianapolis, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 386, 1983. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating budget of the Capital Improvements Board of Managers of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 387, 1983. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, mod-

ifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 388, 1983. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, Indiana"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 389, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$825 for Superior Court - Criminal Probation Department for mileage created by the House Arrest Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 390, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$20,000 for the Marion County Sheriff for vehicle maintenance for the remainder of 1983"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 391, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$17,515 of federal grant funds for the Emergency Management Planning Division for a Hazardous Materials Transportation Study"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 392, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$332,966 of State and Federal Grant Funds for the Community Corrections Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 393, 1983. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$10,000 for the Flood Control Division for mowing and cleaning parcels of private property which are devaluating adjoining properties"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 395, 1983. Introduced by Councillor Campbell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Temple Avenue and 9th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 396, 1983. Introduced by Councillor Campbell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Tacoma Avenue and 11th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NOS. 397-408, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 5, 1983". Council consent was given. Proposal Nos. 397-408, 1983, were adopted by consent of the Council, retitled REZONING ORDINANCE NOS. 116-127, 1983, and reads as follows:

**REZONING ORDINANCE NO. 116, 1983 83-Z-31 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
9601 EAST 46TH STREET, INDIANAPOLIS**

Gene B. Glick Company, Inc., by James W. Beatty, requests rezoning of 22.14 acres, being in D-4 district, to SU-7 classification, to provide for the regional headquarters of Little League, including baseball and softball diamonds, swimming pool, cottages for summer camps and administrative building.

**REZONING ORDINANCE NO. 117, 1983 83-Z-97 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
612 SOUTH BRIDGEPORT ROAD, INDIANAPOLIS**

Jean Kulke, by Steve Plopper, request rezoning of 38.96 acres, being in A-2 district, to D-4 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 118, 1983 83-Z-107 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
6602 EAST 91ST STREET, INDIANAPOLIS**

Don and Mary Harsin, by William F. LeMond, requests rezoning of 13.80 acres, being in A-2 district, to D-6 II classification, to provide for multi-family extension south of Twin Lakes Development.

**REZONING ORDINANCE NO. 119, 1983 83-Z-112 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 10
2027 WINTER AVENUE, INDIANAPOLIS**

New Hope Baptist Church, by Benjamin F. Andrew, Trustee, requests rezoning of 0.15 acre, being in D-5 district, to SU-1 classification, to provide for construction of an off-street parking lot for the existing church.

**REZONING ORDINANCE NO. 120, 1983 83-Z-119 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16
3171 NORTH MERIDIAN STREET, INDIANAPOLIS**

32nd Street Associates, by Walter E. Wolf, Jr., requests rezoning of 1.29 acres, being in D-9 district, to C-1 classification, to provide for the construction of a two-story office building.

**REZONING ORDINANCE NO. 121, 1983 83-Z-120 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
2940 SOUTH RITTER AVENUE, INDIANAPOLIS**

Thomas R. Marshall, by Stephen D. Mears, requests rezoning of 2.00 acres, being in A-2 district, to SU-5 classification, to provide for the erection of a communications tower.

**REZONING ORDINANCE NO. 122, 1983 83-Z-121 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 14
7229 EAST WASHINGTON STREET, INDIANAPOLIS**

Howard Johnson Company, by Charles Conlon, requests rezoning of 1.07 acres, being in C-2 and C-4 district, to C-4 classification, to provide for total zoning conformance for existing restaurant.

**REZONING ORDINANCE NO. 123, 1983 83-Z-122 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7
2950 EAST 56TH STREET, INDIANAPOLIS**
Gregg Hutchinson, by Stephen D. Mears, requests rezoning of 1.05 acres, being in D-3 district, to C-1 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 124, 1983 83-Z-124 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
2150 NORTH POST ROAD, INDIANAPOLIS**
Carl W. Ritchie, by Lawson J. Clark, II, requests rezoning of 1.93 acres, being in A-2 district, to C-6 classification, to provide for the construction of a motel.

**REZONING ORDINANCE NO. 125, 1983 83-Z-125 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
3830 EAST SOUTHPORT ROAD, INDIANAPOLIS**
E & F Realty Co., by John Van Buskirk, requests rezoning of 7.00 acres, being in SU-2 district, to C-3 classification, to provide for offices, a pharmacy and retail sales.

**REZONING ORDINANCE NO. 126, 1983 83-Z-126 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT 12
7299 PENDLETON PIKE, INDIANAPOLIS**
Cornelius C. Ihrer, by Joseph F. Quill, requests rezoning of 0.53 acre, being in D-5 district, to C-4 classification, to provide for conformance of zoning for existing restaurant.

**REZONING ORDINANCE NO. 127, 1983 83-Z-138 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
2102 NORTH POST ROAD, INDIANAPOLIS**
The Metropolitan Development Commission, by Jon A. Meeks, Administrator, Division of Development Services, requests rezoning of 1.50 acres, being in A-2 district, to C-4 classification, to provide for the correction of a mapping error based on information found relating to rezoning petition 61-Z-109 and other pertinent research.

PROPOSAL NO. 411, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the use of approximately \$2,000,000 of federal funds available from the U.S. Marshals Service Cooperative Agreement Program for the construction of the sixth and seventh floors of the addition to the Marion County Jail"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NOS. 412-421, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 19, 1983". Council consent was given. Proposal Nos. 412-421, 1983, were adopted by consent of the Council, retitled REZONING ORDINANCES 128-137, 1983, and reads as follows:

**REZONING ORDINANCE NO. 128, 1983 83-Z-105 (83-DP-3) PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
304 WEST COUNTY LINE ROAD, INDIANAPOLIS**
Ventura Homes, Incorporated, by Charles E. Wilson, requests rezoning of 96.00, being in D-4 and A-2 district, to DP classification, to provide for single-family, apartments and day care uses as per plans and commitments filed for a Planned Unit Development.

**REZONING ORDINANCE NO. 129, 1983 83-Z-109 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
6002 WEST 62ND STREET, INDIANAPOLIS**

Corporate Park Development, by Stephen D. Mears, requests rezoning of 97.52 acres, being in A-2 district, to C-S classification, to provide for a commercial/distribution/office development in accordance with plan.

**REZONING ORDINANCE NO. 130, 1983 83-Z-128 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
1709 NORTH POST ROAD, INDIANAPOLIS**

Arnold E. Brown requests rezoning of 1.60 acres, being in D-2 district, to C-1 classification, to permit the erection of a professional doctor's office.

**REZONING ORDINANCE NO. 131, 1983 83-Z-130 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
6145 SOUTH EAST STREET, INDIANAPOLIS**

James W. Shite, Harry K. Wick, Lawrence M. Lunn request rezoning of 1.24 acres, being in A-2 district, to C-1 classification, to provide for a professional office building.

**REZONING ORDINANCE NO. 132, 1983 83-Z-132 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
1601 COUNTRYSIDE LANE, INDIANAPOLIS**

Ivy Homes, Inc., by Harold Gibson, request rezoning of 10.90 acres, being in D-3 district, to D-4 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 133, 1983 83-Z-133 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
6950 SOUTH U.S. 31, INDIANAPOLIS**

John R. Swengel, by Rex M. Joseph, Jr., requests rezoning of 1.01 acre, being in D-5 district, to C-1 classification for commercial use.

**REZONING ORDINANCE NO. 134, 1983 83-Z-134 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
4525 EAST 82ND STREET, INDIANAPOLIS**

Charles Ronald Lucas and James K. Culley, by Michael D. Moriarty, requests rezoning of 7.91 acres, being in C-3 district, to C-1 classification, to provide for the construction of an insurance company building.

**REZONING ORDINANCE NO. 135, 1983 83-Z-135 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 11
4112 NORTH KEYSTONE AVENUE, INDIANAPOLIS**

L.E. Kleinmaier, Jr., by Compucom, requests rezoning of 1.38 acres, being in D-5 district, to C-4 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 136, 1983 83-Z-145 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
150 WEST 86TH STREET, INDIANAPOLIS**

Metropolitan Development Commission, by Jon A. Meeks, Administrator, Division of Development Services, initiates rezoning to correct a mapping error on information found in 65-Z-104 and other pertinent research from SU-2 to SU-1 classification, to provide for the existing church.

**REZONING ORDINANCE NO. 137, 1983 83-Z-155 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 9
2990 NORTH HARDING STREET, INDIANAPOLIS**

City of Indianapolis, Department of Administration, agent for Department of Parks and Recreation, by Lee Hauser, request rezoning of 0.50 acre, being in C-4 and I-2-U district, to SU-9 classification, to provide for a fuel site and car wash for the Central Equipment Management Division.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 365, 1983. Councillor Nickell had requested that this proposal, for a rezoning ordinance in Lawrence Township, Councilmanic District 5, 7102 North County Line Road, be held out for a public hearing. Councillor Nickell moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

In accordance with the procedure agreed between petitioner and remonstrators, I move that Proposal No. 365, 1983, (Rezoning Docket No. 83-Z-110) be rejected, and that the Metropolitan Development Commission waive its rules on waiting periods and docket fees so that petitioner may redocket his petition without delay or additional fees.

Councillor Nickell

Councillor Durnil seconded the motion. Councillor Nickell's motion to reject Proposal No. 365, 1983, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

3 NOT VOTING: *Coughenour, Howard, Schneider*

PROPOSAL NO. 354, 1983. This proposal appropriates \$1,000,000 for the Division of Employment and Training to fund the Summer CETA Program. Councillor Dowden moved that Proposal No. 354, 1983, be postponed in Council until September 12, 1983, seconded by Councillor Rhodes. Consent was given.

SPECIAL ORDERS, UNFINISHED BUSINESS

PROPOSAL NO. 252, 1983. This proposal prohibits parking on a portion of Camden Road. Councillor Miller moved, seconded by Councillor Schneider, to strike Proposal No. 252, 1983. Consent was given.

PROPOSAL NO. 351, 1983. This proposal changes parking controls on a portion of Virginia Avenue. Councillor Schneider reported that the Transportation Committee recommended to amend and pass Proposal No. 351, 1983, by a vote of 6-0 on August 9, 1983. Councillor Schneider moved, seconded by Councillor Hawkins, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 351, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 351, 1983, Revised Committee Recommendations".

Councillor Schneider

Council consent was given on the amendment on Proposal No. 351, 1983.

[Clerk's Note: Councillor Schneider moved to take one vote on Proposal Nos. 351, 1983, As Amended, and Proposal No. 356, 1983, changing parking controls on a portion of East Street; and Proposal No. 358, 1983, which changes parking controls on a portion of 34th Street. Both proposals were recommended by a vote of 6-0 on August 9, 1983, by the Transportation Committee. Consent was given.]

Proposal Nos. 351, 1983, As Amended, and Proposal Nos. 356 and 358, 1983, were adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Howard, Jones, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West
NO NAYS

3 NOT VOTING: Clark, Hawkins, Jones

Proposal No. 351, 1983, As Amended, and Proposal Nos. 356 and 358, 1983, were retitled **GENERAL ORDINANCE NOS. 94-96, 1983**, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, is hereby amended by the deletion of the following:

**ON ANY DAY EXCEPT SATURDAY AND SUNDAY
From 4:00 PM to 7:00 PM**

Virginia Avenue, on the southwest side, from Alabama Street to Prospect Street;

From 6:00 AM to 9:00 AM

Virginia Avenue, on the northeast side, from Alabama Street to Prospect Street;

From 7:00 AM to 9:00 AM

Virginia Avenue, on the northeast side from Maryland Street to Woodlawn Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, is hereby amended by the addition of the following:

ON ANY DAY EXCEPT SATURDAY AND SUNDAY

From 7:00 AM to 9:00 AM

Virginia Avenue, on the northside, from Louisiana Street to Woodlawn Avenue;

From 4:00 PM to 6:00 PM

Virginia Avenue, on the southside, from Louisiana Street to Woodlawn Avenue.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

East Street, on the west side, from Parkway Avenue to Sanders Street;

East Street, on the east side, from Orange Street to Morris Street;

East Street, on both sides, from Raymond Street to a point 135 feet north of the north curb line of Raymond Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

4:00 p.m. to 6:00 p.m.

East Street, on the west side, from Morris Street to Raymond Street;

3:00 p.m. to 6:00 p.m.

East Street, on the west side, from Orange Street to Raymond Street;

6:00 a.m. to 9:00 a.m.

East Street, on the east side, from Orange Street to Raymond Street;

ON ANY DAY EXCEPT SUNDAY

7:00 a.m. to 9:00 a.m.

East Street, on the east side, from Raymond Street to Sanders Street.

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

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours and Section 29-272, Parking time restricted on designated days.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Thirty-fourth Street, on the south side, from Pennsylvania Street to the first driveway west of Pennsylvania Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS
6:00 a.m. to 9:00 a.m.

Thirty-fourth Street, on the north side, from Central Avenue to North Illinois Street.

From 3:00 p.m. to 6:00 p.m.

Thirty-fourth Street, on the south side, from North Illinois Street to Central Avenue.

ON ANY DAY EXCEPT SATURDAYS, SUNDAYS OR HOLIDAYS
From 4:00 p.m. to 6:00 p.m.

Thirty-fourth Street, on both sides, from Illinois Street to Meridian Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, Parking time restricted on designated days, be, and the same is hereby amended by the deletion of the following, to wit:

NINETY MINUTES ON ANY DAY EXCEPT SUNDAY
From 7:00 a.m. to 6:00 p.m.

Thirty-fourth Street, on the north side, from Salem Street to Illinois Street.

NINETY MINUTES ON ANY DAY EXCEPT SUNDAYS AND HOLIDAYS
From 7:00 a.m. to 6:00 p.m.

Thirty-fourth Street, on the south side, from Central Avenue to Meridian Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Thirty-fourth Street, on the north side, from Meridian Street to a point 100 feet east of Meridian Street.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 350, 1983. This proposal changes parking controls on a portion of Massachusetts Avenue. Councillor Schneider reported that Proposal No. 350, 1983, will allow the Department of Transportation to erect two hour parking signs on any day except Saturdays and Sundays from 7:00 a.m. to 6:00 p.m. Councillor Sawyers explained that Mrs. S. E. Drey, owner of S. E. Drey & Company, Inc., has experienced several bus drivers of the Indianapolis Public School Corporation parking their automobiles in front of her business during the business hours, thereby, not allowing her patrons and others places to park. Councillor Sawyers submitted a letter with signatures from surrounding merchants supporting Mrs. Drey's actions. Such letter is on file in the City Clerk's Office. Councillor Campbell stated that parking meters were removed from this area, because they were not producing any revenues. After discussion, Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 5-2 on August 9, 1983. Councillor Schneider moved, seconded by Councillor Sawyers, for adoption. Proposal No. 350, 1983, was adopted on the following roll call vote; viz:

22 YEAS: *Borst, Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Jones, McGrath, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West*

7 NAYS: *Boyd, Campbell, Hawkins, Howard, Journey, Page, Vollmer*

Proposal No. 350, 1983, was retitled GENERAL ORDINANCE NO. 97, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-272, Parking time restricted on designated days.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-272, Parking time restricted on designated days, is hereby amended by the addition of the following:

**TWO HOURS
ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 7:00 AM to 6:00 PM**

Massachusetts Avenue, on both sides from College Avenue to Davidson Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 357, 1983. This proposal changes speed limit controls on a portion of Michigan Road. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 6-0 on August 9, 1983. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 357, 1983, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

1 NAY: *Brinkman*

Proposal No. 357, 1983, was retitled GENERAL ORDINANCE NO. 98, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limit.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limit, be, and the same is hereby amended by the deletion of the following, to wit:

Northwestern Avenue, from Thirty-eight Street to Kessler Boulevard, 45 MPH;

Northwestern Avenue, from Kessler Boulevard to Fox Hill Road, 45 MPH;

Northwestern Avenue, from Fox Hill Road to *700 North, 45 MPH;

Northwestern Avenue, from 7000 North to 7800 North, 45 MPH; and

Northwestern Avenue, from 7800 North to 9600 North (County Line Road), 50 MPH.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limit, be, and the same is hereby amended by the addition of the following, to wit:

Michigan Road, from Thirty-eight Street to Ninety-six Street, 45 MPH.

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

PROPOSAL NO. 373, 1983. This proposal tentatively approves a lease of the Central Maintenance Garage after improvements are constructed by the Indianapolis Marion County Building Authority and providing a public hearing on such

lease with notice. The Administration Committee recommended passage by a vote of 5-1 on August 16, 1983. Councillor Dowden moved, seconded by Councillor Rhodes, for adoption. Proposal No. 373, 1983, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
2 NAYS: *Clark, Gilmer*
1 NOT VOTING: *Rader*

Proposal No. 373, 1983, was retitled SPECIAL ORDINANCE NO. 18, 1983, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 18, 1983

A SPECIAL ORDINANCE tentatively approving a lease of the Central Maintenance Garage after improvements are constructed by the Indianapolis-Marion County Building Authority and providing a public hearing on such lease with notice.

WHEREAS, the Indianapolis-Marion County Building Authority ("Authority") has been created under and pursuant to the provisions of Indiana Code, Section 36-9-13-1 et seq. for the purpose of constructing, operating and leasing to governmental units within the territorial boundaries of Marion County lands and buildings for public or governmental purposes; and

WHEREAS, the City of Indianapolis ("City") desires to have the Authority to undertake the construction of a new Central Maintenance Garage for lease to the City as evidenced by a special resolution previously adopted by this Council on November 10, 1982; and

WHEREAS, the City has negotiated a proposed lease of such Garage with the Authority, which lease must be the subject of a public hearing by the City before its execution by the parties thereto; and

WHEREAS, there is before this Council a copy of the proposed lease as negotiated with the Authority being entitled "Indianapolis-Marion County Central Maintenance Garage Lease" together with plans and specifications for such new Garage as prepared by architects employed by the Authority and an estimate of the cost of the building project to be undertaken; now, therefore:

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

SECTION 1. The proposed Indianapolis-Marion County Central Maintenance Garage Lease, including the plans, specifications and drawings for the said project and the cost estimate therefore as submitted at this meeting by the Authority are hereby tentatively approved subject to hearing and are ordered kept open for inspection by the public by the Clerk of the Council and at the public hearing to be held before this Council.

SECTION 2. The City-County Council hereby instructs the Clerk of the Council on behalf of the City to publish notice for a public hearing before this Council in accordance with the provisions of Indiana Code Section 5-3-1 et seq. and Section 36-9-13-27. Such public hearing for the City shall be held by this Council in the City-County Council Chambers, City-County Building, Indianapolis, Indiana, on September 12, 1983, at 7:00 p.m., EST.

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

PROPOSAL NO. 377, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Laser Robotics Machinery, Inc. in an approximate amount of \$1,000,000, was recommended for passage by the Economic Development Committee by a vote of 3-0 on August 19, 1983. Councillor Brinkman reported that this project, located at 2232 South Tibbs Avenue, provides for the purchase of a laser driller, or laser cutter and one or two laser markert. Seven jobs will be added by the end of the first year and twenty-two jobs at the end of three years. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 377, 1983, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, Gilmer, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Tintera, Vollmer, West*
3 NOT VOTING: *Jones, Journey, Strader*
2 NOT VOTING: *Dowden, Hawkins*

Proposal No. 377, 1983, was retitled SPECIAL RESOLUTION NO. 69, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1983

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition and installation of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Laser Robotics Machining, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the city either acquire and install certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition and installation of three or possibly four laser machines to be located at 2232 South Tibbs Avenue, Indianapolis, Indiana, which will be used by the Company as a laser job shop to perform drilling, cutting and marking services for industrial manufacturers and other manufacturers (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 7 at the end of one year and 22 at the end of three years) to be achieved by the acquisition and installation of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition and installation of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$1,000,000 under the Act to be guaranteed by Omar Robinson and John Sheets and to be privately placed for the acquisition and installation of the Project and the sale or leasing of the Project to Laser Robotics Machining, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition and installation of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during installation, underwriting expenses, attorney and bond counsel fees, acquisition and installation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 378, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Lilly Industrial Coatings, Inc., in an approximately amount of \$1,330,250, was recommended for passage by a vote of 4-0 on August 19, 1983. The company is relocating their corporate administrative functions and research laboratory to former IPS School No. 12, located at 733 South West Street. Costs for the project are as follows: \$175,000 land and building, \$1,065,000 rehabilitation, \$124,000 furnishings and finishes and \$150,000 miscellaneous contingencies. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 378, 1983, was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

NO NAYS

1 NOT VOTING: Campbell

Proposal No. 378, 1983, was retitled SPECIAL RESOLUTION NO. 70, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1983

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Lilly Industrial Coatings, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the city either acquire, renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation and equipping of the existing building formerly used as Indianapolis Public School Building No. 12 and the machinery and equipment to be installed therein plus certain site improvements to be located at 733 South West Street, Indianapolis, Indiana, on approximately 1.38 acres of land which will be used by the Company to relocate their corporate administrative offices and corporate research laboratory from their current locations in Indianapolis, Indiana, (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 2 at the end of one year and 7 at the end of three years) to be achieved by the acquisition, renovation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate

amount of \$1,330,250 under the Act for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Lilly Industrial Coatings, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 379, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Mayfair Partnership, in an approximate amount of \$2,641,000, was recommended for passage by a vote of 4-0 on August 19, 1983, by the Economic Development Committee. Councillor Brinkman reported that Mairfair Partnership provides for renovation of the existing Fairfield and Mapleton Nursing Homes located at the 3600 block of Central Avenue. Costs for the project are as follows: \$2,034,000 land and buildings, \$482,782 rehabilitation, \$346,423 financing costs and \$80,000 equipment. Fifty-three existing jobs will be retained plus and estimated seven additional jobs at the end on one and three years. Councillor Brinkman moved, seconded by Gilmer, for adoption. Proposal No. 379, 1983, was adopted on the following roll call vote; viz:

29 YEAS: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

NO NAYS

Proposal No. 379, 1983, was retitled SPECIAL RESOLUTION NO. 71, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1983

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Mayfair Partnership (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the city either acquire, renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation and equipping of the existing Fairfield nursing home and the existing Mapleton nursing home so as to create one nursing facility from the two now separate buildings containing 113 intermediate care beds and the machinery and equipment to be installed therein plus certain site improvements to be located at 3630-3650 Central Avenue, Indianapolis, Indiana, (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities in addition to saving the existing 53 jobs (an additional number of jobs of approximately 7 at the end of one year and 22 at the end of three years) to be achieved by the acquisition, renovation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing and use of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$2,651,500 under the Act subject to the Project being approved by HUD for its Section 232 insured mortgage program for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Mayfair Partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 380, 1983. This proposal, for a final bond ordinance authorizing the issuance of a \$3,000,000 Economic Development Mortgage Revenue Bond for Chef's Baking Company, was recommended for passage by the Economic Development Committee on August 19, 1983, by a vote of 4-0. Councillor Stephen R. West, Senior Vice President, Treasurer and shareholder in West Baking Company and President of Chef's Baking Company, disclosed his interest in Chef's Baking Company. President SerVaas excused Councillor West from the Public Assembly Room during discussion and the vote on this proposal and he did not participate in any of the Council proceedings involving Proposal No. 380, 1983. Councillor Brinkman reviewed this project which adds 30,000 square feet to the existing bakery facility located at 4201 Industrial Boulevard plus machinery and equipment. She explained that the bonds will be sold to Peoples Bank and Trust Company at 100 percent of the principal amount. During the first year the interest rate will be 65 percent of Prime Rate plus 1 percent. After the first year, the interest rate will be 65 percent of the Prime Rate. Councillor Brinkman moved, seconded by Councillor Tintera, for adoption. Proposal No. 380, 1983, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

NO NAYS

1 NOT VOTING: *West*

Proposal No. 380, 1983, was retitled SPECIAL ORDINANCE NO. 15, 1983, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1983

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bond (Chef's Baking Company Project)" in the principal amount of Three Million Dollars (\$3,000,000) and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed

financing of economic development facilities for Chef's Baking Company which facilities will be acquired, constructed, installed and equipped by Chef's Baking Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 19, 1983, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Chef's Baking Company (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot addition to the existing baking facilities located in Indianapolis, Indiana at 4201 Industrial Boulevard on approximately 8.356 acres, including site improvements and the machinery and equipment for use therein to be used for the production of various bakery and bread-type products (the "Project"), complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Promissory Note and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12) and the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Chef's Baking Company Project) and the Bond Purchase Agreement, Real Estate Mortgage, Security Agreement, Assignment of Interests and Guaranty Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; and

WHEREAS, the original inducement resolution and the supplemental resolution adopted by this body on November 8, 1982, and March 21, 1983, respectively, stated that this proposed financing of economic development facilities was for West Baking Company, Inc.; and

WHEREAS, West Baking Company, Inc. has transferred the subject economic development facilities to Chef's Baking Company, which is a wholly owned subsidiary of West Baking company, Inc., and desires to substitute Chef's Baking Company for West Baking Company, Inc. as the Company for purposes of obtaining economic development revenue bond financing for this Project; now, therefore:

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

SECTION 1. Chef's Baking Company is hereby substituted for West Baking Company, Inc., as the company for purposes of obtaining economic development revenue bond financing for the Project.

SECTION 2. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot addition to the existing baking facilities located in Indianapolis, Indiana at 4201 Industrial Boulevard on approximately 8.356 acres, including site improvements and the machinery and equipment for use therein to be used for the production of various bakery and bread-type products (the "Project") previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council the issuance and sale of the revenue bond, the loan of the net proceeds thereof to Chief's Baking Company for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Chef's Baking Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 3. The forms of the Promissory Note and Loan Agreement (collectively referred to as the "Financing Agreement" referred to in Indiana code 36-7-12), the Bond Purchase Agreement, Real Estate Mortgage, Security Agreement, Assignment of Inter-

ests, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Chef's Baking Company Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Agreement, the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Chef's Baking Company Project), the Bond Purchase Agreement, Real Estate Mortgage, Security Agreement, Assignment of Interests and Guaranty Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 4. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bond (Chef's Baking Company Project) in the principal amount of Three Million Dollars (\$3,000,000) for the purpose of procuring funds to loan to Chef's Baking Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Chef's Baking Company on its Promissory Note in the principal amount of Three Million Dollars (\$3,000,000) which will be executed and delivered by Chef's Baking Company to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, Bond Purchase Agreement, Assignment of Interests, Guaranty Agreement, Real Estate Mortgage and Security Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 5. The City Clerk or City Controller are authorized and directed to sell such Bond to Peoples Bank & Trust Company, an Indiana banking corporation (the "Purchaser") at a price equal to 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest on the outstanding principal balance as follows:

(a) during the one-year period commencing on the date of original issuance of the Bond, at a per annum rate equal to 65% of the sum of the Prime Rate (such term is defined in the Bond Purchase Agreement as the per annum rate of interest from time to time established and publicly quoted by the Purchaser as its Prime Rate) plus 1% per annum (i.e., .65 (Prime Rate plus 1%)) (With any change in said interest rate resulting from a change in the Prime Rate to be and become effective as of and on the date of the relevant change in the Prime Rate), and

(b) after such one-year period, at a per annum rate equal to 65% of the Prime Rate (with any change in said interest rate resulting from a change in the Prime Rate to be and become effective as of and on the date of the relevant change in the Prime Rate);

except that the rate of interest payable on the Bond shall not be less than 5% per annum nor exceed 13% per annum unless there shall have occurred a Determination of Taxability (as defined in the Bond Purchase Agreement). Should a Determination of Taxability occur with respect to the Bond, the rate of interest on the Bond shall increase to a per annum rate equal to the Prime Rate (with any change in said interest rate resulting from a change in the Prime Rate to be and become effective as of and on the date of the relevant change in the Prime Rate), except that the rate of interest payable on the Bond shall not be less than 7.5% per annum nor exceed 20% per annum, and in such event the Bond shall bear interest on the unpaid principal amount at such rate from and after the first interest payment date next following the date the Determination of Taxability occurred or the earliest date to which it applies (whichever date is later). Interest shall be computed on the basis of actual days elapsed and that a full year's interest is earned in 360 days. In addition, should a Determination of Taxability occur with respect to the Bond, Chef's Baking Company shall pay to the holder of the Bond within 30 days after the receipt of a written request therefor from the registered owner of the Bond, an amount of additional interest (over and above the interest otherwise paid or payable on the Bond) equal to:

(a) interest on the principal amount from time to time remaining unpaid on the Bond for the period commencing on the earliest date to which the Determination of

Taxability applies and ending on the earlier of the date on which no portion of the Bond is outstanding or the date at which the per annum interest rate on the Bond has been increased as provided above, at a per annum rate equal to the excess of (i) the greater of 7.5% or the Prime Rate, or if the Prime Rate exceeds 20%, then 20%, over, (ii) the rate of interest otherwise paid or payable on the Bond (with any change in said interest rate resulting from a change in the Prime Rate to be and become effective as of and on the date of the relevant change in the Prime Rate),

PLUS

(b) The amount of any interest (and, to the extent payable, any penalties) payable to the Internal Revenue Service by the holder of the Bond for the good faith failure to include the interest received on the Bond in gross income for federal income tax purposes.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement, the City of Indianapolis Indiana Economic Development Mortgage Revenue Bond (Chef's Baking Company Project), and the Bond Purchase Agreement approved herein, and their execution is hereby confirmed on behalf of the City of Indianapolis and any other documents which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the Purchaser payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Financing Agreement, Bond Purchase Agreement, and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein and also in the Real Estate Mortgage, Security Agreement and Guaranty Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 7. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Mortgage Revenue Bond (Chef's Baking Company Project), and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

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

PROPOSAL NO. 381, 1983. This proposal, for a final bond ordinance authorizing the issuance of \$950,000 Economic Development Revenue Bonds for Computer Microfilm Corporation, was recommended for passage by a vote of 4-0 on August 19, 1983. Councillor Brinkman reported that this project, for the acquisition, construction, installation and equipping of an approximately 16,000 square foot building, will be used to provide micrographic services to others and for the distribution of micrographic supplies and equipment. Costs for the project are as follows: \$105,000 land, \$650,000 building, \$200,000 equipment, and \$45,000 for miscellaneous contingencies. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 381, 1983, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

NO NAYS

I NOT VOTING: *West*

Proposal No. 381, 1983, was retitled SPECIAL ORDINANCE NO. 16, 1983, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 1983

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Computer Microfilm Corporation Project)" in the principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Computer Microfilm Corporation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 19, 1983, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Computer Microfilm Corporation (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 16,000 square foot building to be used by Computer Microfilm International Corporation for providing micrographic services to others and for the distribution of micrographic supplies and equipment, including site improvements and the machinery and equipment for use therein to be located in Indianapolis, Indiana on approximately 3 acres of unimproved land located in the Morenci Professional Park and fronting on the West side of Morenci Trail and on the East side of La Pas Trail, being adjacent to a tract of land to the North known as 6321 La Pas Trail with an office building situated thereon and adjacent to a tract of land to the South known as 6214 Morenci Trail with an office building situated thereon (the "Project"), which will be initially owned by Computer Microfilm Corporation, a Delaware Corporation, and operated by Computer Microfilm International Corporation which is a subsidiary of Computer Microfilm Corporation, complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Project Financing Agreement including the Exhibits thereto consisting of the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Computer Microfilm Corporation Project), Project Description, Promissory Note, Mortgage and Security Agreement, and Assignment and Acknowledgment by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; 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 that the financing of the economic development facilities referred to in the Project Financing Agreement consisting of the acquisition, construction, installation and equipping of an approximately 16,000 square foot building to be used by Computer Microfilm International Corporation for providing micrographic services to others and for the distribution of micrographic supplies and equipment, including site improvements and the machinery and equipment for use therein to

be located in Indianapolis, Indiana on approximately 3 acres of unimproved land located in the Morenci Professional Park and fronting on the West side of Morenci Trail and on the East side of La Pas Trail, being adjacent to a tract of land to the North known as 6321 La Pas Trail with an office building situated thereon and adjacent to a tract of land to the South known as 6214 Morenci Trail with an office building situated thereon (the "Project") which will be initially owned by Computer Microfilm Corporation, a Delaware Corporation, and operated by Computer Microfilm International Corporation which is a subsidiary of Computer Microfilm Corporation, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of the revenue bond, the loan of the net proceeds thereof to Computer Microfilm Corporation for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be installed in Indianapolis, Indiana, and the repayment of said loan by Computer Microfilm Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The form of the Project Financing Agreement including the Exhibits thereto consisting of the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Computer Microfilm Corporation Project), Project Description, Promissory Note, Mortgage and Security Agreement, and Assignment and Acknowledgment approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Project Financing Agreement including Exhibits thereto consisting of the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Computer Microfilm Corporation Project), Project Description, Promissory Note, Mortgage and Security Agreement, and Assignment and Acknowledgment are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Computer Microfilm Corporation Project) in the principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) for the purpose of procuring funds to loan to Computer Microfilm Corporation in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Project Financing Agreement and the Project Description attached thereto incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Computer Microfilm Corporation on its Promissory Note in the principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) which will be executed and delivered by Computer Microfilm Corporation to evidence and secure said loan, and as otherwise provided in the above described Project Financing Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest equal to seventy-seven percent (77%) of the Prime Rate (hereinafter defined) rounded to the nearest thousandth plus, for the first ninety (90) days from the date of the Bond, interest at the rate of two percent (2%) per annum; provided, however, that the percentage by which the Prime Rate is multiplied (initially 77%) shall be adjusted as of the effective date of any change in the Corporate Tax Rate (hereinafter defined) to that percentage determined by multiplying (a) 1.00 minus the newly-effective Corporate Tax Rate times (b) the number 1.426. The "Corporate Tax Rate" shall mean the maximum rate of federal income tax on national banking associations as provided in the Internal Revenue Code of 1954, as it may hereafter be amended, and is as of the date of this Ordinance forty-six percent (46%). The "Prime Rate" shall be the rate per annum announced from time to time by Bank of the South, N.A., at its principal office in Atlanta, Georgia as the prime rate. Such rate which is in effect as of the close of business on each business day shall be the effective applicable rate for that day and for any succeeding non-business days. Interest shall be computed on the outstanding principal balance of the Bond on the basis of a three hundred sixty (360) day year of twelve (12) consecutive thirty (30) day months. Interest shall be payable on overdue installments of

principal and interest at the rate which is two percent (2%) per annum more than the rate per annum then in effect for computing interest on the Bond. In no event, however, shall the rate of interest exceed thirty percent (30%) per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Project Financing Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond (Computer Microfilm Corporation Project), the Endorsement to the Promissory Note, and the Assignment approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the Purchaser or Purchasers thereof named in the Project Financing Agreement payment for which will be made in the manner set forth in the Project Financing Agreement. The Mayor and City Clerk may by their execution of the Project Financing Agreement, the Endorsement to the Promissory Note, and the Assignment and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein and also in the Project Description, the Mortgage and Security Agreement, and the Acknowledgment of Assignment without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Project Financing Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Computer Microfilm Corporation Project), and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 382 1983. This proposal, for a final bond ordinance authorizing the issuance of \$2,325,000 Economic Development Revenue Bonds for FHA Insured Mortgage Loan - Bethany Village Nursing Home Project, and was recommended for passage by the Economic Development Committee by a vote of 4-0 on August 19, 1983. This project is for the construction of a 100 bed comprehensive care nursing facility located at 3518 Shelby Street. The Bonds will be sold to Union Planters National Bank of Memphis, Tennessee at 100 percent as stated in the Bond Purchase Agreement. The interest rate will be 10 percent payable semi-annually commencing February 15, 1984. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 382, 1983, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

NO NAYS

1 NOT VOTING: *West*

Proposal No. 382, 1983, was retitled SPECIAL ORDINANCE NO. 17, 1983, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1983

A SPECIAL ORDINANCE authorizing the issuance of \$2,325,000 aggregate principal amount of Economic Development Mortgage Revenue Bonds, Series 1983 (FHA Insured Mortgage Loan-Bethany Village Nursing Home Project) of the City of Indianapolis, Indiana, the proceeds of which shall be loaned to Greenbriar, Limited, an Ohio Limited Partnership, to assist in the financing of an economic development facility; providing for the pledge of revenues for the payment of such bonds; authorizing a trust indenture, supplemental loan agreement, bond purchase agreement and related documents; and authorizing other actions in connection with the issuance of such bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is a municipal corporation and political subdivision in and of the State of Indiana, and by virtue of the laws of the State of Indiana, including Indiana Code, 36-7-12-1 et. seq., (the "Act") is authorized and empowered among other things (a) to make a loan for the acquisition, construction and installation of an economic development facility within the boundaries of the Issuer, (b) to issue and sell its revenue bonds to provide moneys for such loan, and (c) to enact this Bond Legislation and execute and deliver the assignments and agreements hereinafter identified; and

WHEREAS, this City-County Council has determined and does hereby confirm that the acquisition, construction and installation of the Project, as hereinafter defined, will promote the welfare of the people of the Issuer, create or preserve jobs and employment opportunities, and assist in the development of economic, manufacturing and industrial activities to the benefit of the people of the Issuer, and that the Issuer, by assisting with the financing of the Project through the issuance of revenue bonds in the aggregate principal amount of \$2,325,000, will be acting in a manner consistent with and in furtherance of the provisions of the Indiana Code; now, therefore:

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

SECTION 1. Definitions. In addition to the words and terms elsewhere defined in this Ordinance (herein "Bond Legislation"), all initially capitalized terms and words used herein shall have the same meaning as in the Trust Indenture among the Issuer, Bank One, Columbus, N.A. (the "Trustee") and Lincoln National Bank and Trust Company of Ft. Wayne (the "Co-Trustee"), dated as of August 15, 1983 (the "Indenture") relating to the Bonds authorized by this Bond Legislation unless the context or use clearly indicates another or different meaning or intent.

SECTION 2. Determination of Legislative Authority. Pursuant to the Act, the Issuer hereby finds and determines that the Project is an "economic development facility" as defined in the Act and that all actions required under the Act to be taken by the Issuer, the Indianapolis Economic Development Commission, the Trustee and the Borrower prior to the issuance of the Bonds have been duly authorized and completed.

SECTION 3. Authorization of Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided herein and pursuant to the authority of the Act, the Bonds in the aggregate principal amount of \$2,325,000 for the purpose of financing costs of acquiring, constructing and installing an approximately 30,231 square foot 100-bed skilled nursing and intermediate care facility and the machinery and equipment to be installed therein plus certain site improvements to be located at 3518 South Shelby Street, Indianapolis, Indiana on approximately 2.57 acres of land which will be initially owned by Greenbriar, Limited, an Ohio partnership (the "Owner") and initially operated by the Indiana Assembly of the Church of God through a management contract with Hensen Management Services, Inc. (the "Project"), including costs incidental thereto and of the financing thereof, all in accordance with the provisions of the Indenture, the Supplemental Loan Agreement and the Bond Purchase Agreement. The Bonds shall be designated "Economic Development Mortgage Revenue Bonds, Series 1983 (FHA Insured Mortgage Loan-Bethany Village Nursing Home Project)."

SECTION 4. Terms of Bonds. The Bonds shall be issued as fully registered Bonds in the denominations of \$5,000 each and integral multiples thereof, and shall be numbered consecutively from 1 upward. The Bonds shall be dated August 15, 1983, and shall bear interest from that date at the rate of ten per cent (10.00%) per annum payable semi-annually on February 15 and August 15 in each year, commencing February 15, 1984. The Bonds are equally and ratably secured with all of the Bonds. The Bonds shall mature on August 15, 2013 and shall be subject to optional and mandatory redemption as provided in the form of the Bond and in the Indenture.

SECTION 5. Security Pledged for Bonds. As provided herein, the Bonds shall be equally and ratably payable solely from the Pledged Revenues (as defined in the Indenture), and further secured by a Mortgage executed by the Owner, the repayment of which Mortgage is insured by the Federal Housing Administration, and by certain other security as provided in the Indenture. Anything in this Bond Legislation, the Supplemental Loan Agreement, the Bonds, the Bond Purchase Agreement, the Indenture or the FHA Documents (as defined in the Indenture) to the contrary notwithstanding, neither the Bond Legislation, the Supplemental Loan Agreement, the Bonds, the Bond Purchase Agreement, the Indenture or the FHA Documents shall constitute a debt or a pledge of the faith and credit of the Issuer or of the State or any political subdivision thereof and the owners of the Bonds shall have no right to have taxes levied by the State or the taxing authority of the Issuer or of any other political subdivision of the State for the payment of the principal of premium, if any, or interest on the Bonds, but such Bonds are payable solely from the Pledged Revenues and the Bonds shall contain on the face thereof a statement to that effect.

The Bonds shall be executed on behalf of the Issuer by the Mayor and by the Clerk of the Issuer, provided that any or all of such signatures may be facsimiles, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on any Bond shall cease to be such officer before the issuance, authentication or delivery of the Bond, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until after that time.

SECTION 6. Sale of Bonds. The Bonds are hereby sold and awarded to the purchaser as set forth in the Bond Purchase Agreement (the "Fiscal Agreement"), in accordance with its offer therefor in the Bond Purchase Agreement, at a purchase price of 100% of the principal amount of the Bonds to be purchased by it, aggregating \$2,325,000, plus accrued interest from the date of the Bonds. The Mayor and the Clerk are authorized and directed to make on behalf of the Issuer the necessary arrangements with the Bond Purchaser to establish the date, location, procedure and conditions for the delivery of the Bonds to such Bond Purchaser, and to take all steps necessary to effect due execution, authentication and delivery to the Bond Purchaser of the Bonds purchased by it under the terms of this Bond Legislation, the Indenture and the Bond Purchase Agreement. It is hereby determined that the price for and the terms of the Bonds, and the sale thereof, all as provided in this Bond Legislation and the Bond Purchase Agreement, are in the best interest of the Issuer and consistent with all legal requirements.

SECTION 7. Allocation of Proceeds of Bonds - Construction Fund. There is hereby created by the Issuer and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, as trust fund in the name of the Issuer to be designated "City of Indianapolis, Indiana - Bethany Village Nursing Home Project Construction Fund". All of the sums from the sale of the Bonds, except accrued interest on the Bonds, shall be deposited in the Construction Fund and disbursed by the Trustee in accordance with the Indenture. The Trustee is authorized and directed to issue its check for each such disbursement. The moneys to the credit of the Construction Fund (including the proceeds from the sale of investments thereof) shall, pending applications thereof as above set forth, be subject to a lien and charge in favor of the Bondholders.

SECTION 8. Source of Payment - Bond Fund. There is hereby created by the Issuer and ordered maintained, in accordance with Sections 4.06 and 4.07 of the Indenture, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, an account to be designated "City of Indianapolis, Indiana - Bethany

Village Nursing Home Project Bond Fund" (herein called the "Bond Fund"). The Bond Fund and the moneys and investments therein are hereby pledged to and shall be used solely and exclusively for the payment of principal and interest on the Bonds, fees and expenses of the Trustee, deposits into the Debt Service Reserve Fund, and redemption of the Bonds, all as provided herein and in the Indenture.

There shall be deposited into the Bond Fund, as and when received (a) all accrued interest on the Bonds, (b) all amounts transferred from the Construction Fund, (c) all payments and receipts derived from the principal and interest payments on the FHA Note and the security therefor, and (d) amounts transferred from the Debt Service Reserve Fund.

The Issuer hereby covenants and agrees that so long as any of the Bonds are outstanding it will deposit, or cause to be deposited, in the Bond Fund Pledged Revenues sufficient in time and amount to pay the principal, premium, if any, and interest on the Bonds as the same become due and payable, and to this end the Issuer covenants and agrees that, so long as such principal amount is outstanding, it will diligently and promptly proceed in good faith and use its best efforts to enforce the Supplemental Loan Agreement and the Indenture, and that, should there be an event of default under the Supplemental Loan Agreement or the Indenture, the Issuer shall fully cooperate with the Trustee to protect fully the rights and security of the Trustee hereunder. Nothing herein shall be construed as requiring the Issuer to use or apply to the payment of principal, premium, if any, and interest on the Bonds any funds or revenues from any source other than Pledged Revenues.

SECTION 8(a). Debt Service Reserve Fund. There is hereby created by the Issuer and ordered maintained, in accordance with Section 4.08 of the Indenture, as a separate account in the custody of the Trustee, an account to be designated "City of Indianapolis, Indiana - Bethany Village Nursing Home Project Debt Service Reserve Fund" (herein called the "Debt Service Reserve Fund"). The Debt Service Reserve Fund and the moneys and investments therein are hereby pledged to and shall be used solely to pay the interest on the Bonds once the Note has been assigned to FHA to obtain the benefits of the FHA Insurance, all as provided herein and in the Indenture.

There shall be deposited into the Debt Service Reserve Fund the Letter of Credit (as defined in the Indenture) and \$120,000 from the proceeds of the original sale of the Bonds.

SECTION 9. Covenants of Issuer. In addition to other covenants of the Issuer in the Bond Legislation and the Indenture, the Issuer further covenants and agrees as follows:

- (a) **Payment of Principal, Premium and Interest.** The Issuer will, solely from Pledged Revenues, pay or cause to be paid principal, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein, and in the Bonds.
- (b) **Performance of Covenants.** The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Bond Legislation, the Bond Purchase Agreement, the Supplemental Loan Agreement, the Indenture, and in the Bonds executed, authenticated and delivered under this Bond Legislation, and in all proceedings of the Issuer pertaining to the Bonds, the Bond Purchase Agreement, the Supplemental Loan Agreement, or the Indenture.
- (c) **Arbitrage Provisions.** The Issuer will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are delivered to the Bond Purchaser, so that they will not constitute "arbitrage bonds" under Section 103 (c) of the Code. The Mayor or any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed, along or in conjunction with any of the foregoing or with any other officer, employee, consultant or agent of this Legislative Authority, or any officer of the Owner, and upon receipt of satisfactory indemnities to give an appropriate certificate on behalf of the Issuer, for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 103 (c) and regulations thereunder.

SECTION 10. Supplemental Loan Agreement and Indenture. In order to better secure the payment of the principal, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and Clerk are hereby authorized and directed to execute, acknowledge and deliver a Supplemental Loan Agreement and a Trust Indenture in substantially the forms submitted at this meeting, which instruments are hereby approved, with such changes therein not inconsistent with this Bond Legislation and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officer executing the same without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11). The approval of such changes by said officers, and that such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution of the Supplemental Loan Agreement and the Indenture, respectively, by such officers.

SECTION 11. Bond Purchase Agreement and Official Statement. The Mayor and Clerk are hereby authorized and directed to execute, acknowledge and deliver in the name and on behalf of the Issuer, a Bond Purchase Agreement and an Official Statement in substantially the forms submitted at this meeting, which are hereby approved, with such changes therein not inconsistent with this Bond Legislation and not adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11). The approval of such changes by said officers, and that such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution of the Bond Purchase Agreement and the Official Statement by such officers.

SECTION 12. Other Documents. The Mayor and the Clerk are hereby further authorized and directed to execute any other instruments as are, in the opinion of bond counsel to the Issuer, necessary to consummate the transactions provided for in the Supplemental Loan Agreement, the Bond Purchase Agreement, and the Indenture.

SECTION 13. Election Under Section 103 (b)(6)(D). The Legislative Authority hereby determines that the Issuer shall and hereby does elect to have the provisions as to the \$10,000,000 limit in Section 103 (b)(6)(D) of the Code apply to the Bonds.

SECTION 14. Public Inspection. Two (2) copies of the Supplemental Loan Agreement, Trust Indenture, Bond Purchase Agreement, Official Statement and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds, Series 1983 (FHA Insured Mortgage Loan-Bethany Village Nursing Home Project) are on file in the office of the Clerk of the Council for Public Inspection.

SECTION 15. Approval by Governmental Units. This Bond Legislation is intended to satisfy the public approval requirements of Section 103(k) of the Code with respect to approval by the applicable elected representative of the governmental unit.

SECTION 16. Effective Date. This Bond Legislation shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

PROPOSAL NO. 384, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for American State Insurance in an approximate of \$1,000,000, was recommended for passage by the Economic Development Committee by a vote of 3-0-1 on August 19, 1983. Councillor Brinkman reported that this project is to construct and equip a 57,000 square foot building at 625 North Senate Avenue. Costs for the project are as follows: \$400,000 land, \$1,725,000 building, \$250,000 equipment and

\$150,000 miscellaneous contingencies. Construction should begin in October 1983, with occupancy in April, 1984. Councillor Brinkman noted that five new jobs will be added at the on one and three years with an additional payroll of \$65,000. Councillor Gilmer moved, seconded by Councillor Hawkins, for adoption. Proposal No. 384, 1983, was adopted on the following roll call vote; viz;

27 YEAS: *Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

NO NAYS

2 NOT VOTING: *Brinkman, West*

Proposal No. 384, 1983, was retitled SPECIAL RESOLUTION NO. 72, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1983

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, American States Insurance Company (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the city either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction and equipping of a building containing approximately 57,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 625 North Senate Avenue, Indianapolis, Indiana, on approximately 1.8 acres of land which will be used by the Company for printing and distribution services for the Company's nationwide insurance operations (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 at the end of one year and 5 at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, construction and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$1,000,000 under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to American States Insurance Company (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 273, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Garry B. Lindboe, Frank K. Regan and Vincent W. Todd and/or any entity(s) designated by one or more of the aforementioned in an amount not to exceed \$5,000,000, was recommended to be stricken by the Economic Development Committee by a vote of 3-0 on August 19, 1983. Councillor Brinkman moved, seconded by Councillor Gilmer, to strike Proposal No. 273, 1983, and consent was given.

PROPOSAL NO. 322, 1983. This proposal, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Cedar Crest Health Center, Inc. or Cedar Crest Health Center South, Inc., or any entity formed or to be formed in which Walter Justus is a principal, partner or shareholder in an approximate amount of \$2,925,000, was recommended to be stricken by the Economic Development Committee by a vote of 3-0 on August 19, 1983. Councillor Brinkman moved, seconded by Councillor Gilmer, to strike Proposal No. 273, 1983, and consent was given.

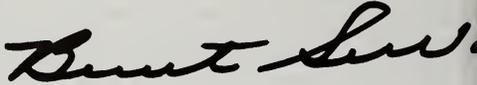
ANNOUNCEMENTS AND ADJOURNMENT

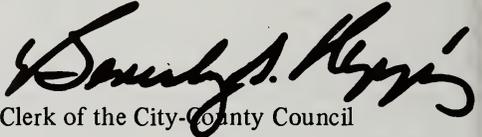
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:16 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, Indiana, held at its Regular Meeting on the 22nd day of August, 1983.

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

ATTEST:


President


Clerk of the City-County Council

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