

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, September 12, 1983**

Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:23 m., Monday, September 12, 1983. President SerVaas in the Chair. Councillor ayne Rader 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, Cowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Winters, Vollmer, West

**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, September 12, 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 19 and 26, 1983, a copy of **NOTICE TO TAXPAYERS** of General Ordinance No. 81, 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 September 1 and 8, 1983, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 391, 392, and 393, 1983, to be held on Monday, September 12, 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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS on August 25, 1983, a copy of "NOTICE OF HEARING ON PROPOSED INDIANAPOLIS—MARION COUNTY CENTRAL MAINTENANCE GARAGE LEASE BETWEEN INDIANAPOLIS—MARION COUNTY BUILDING AUTHORITY AND THE CITY OF INDIANAPOLIS" of a Public Hearing on Monday, September 12, 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:

GENERAL ORDINANCE NO. 94, 1984, 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. 95, 1983, 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.

GENERAL ORDINANCE NO. 96, 1983, 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.

GENERAL ORDINANCE NO. 97, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-272, Parking Time restricted on designated days.

**GENERAL ORDINANCE NO. 98, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limit.**

**SPECIAL ORDINANCE NO. 15, 1983, 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.**

**SPECIAL ORDINANCE NO. 16, 1983, 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.**

**SPECIAL ORDINANCE NO. 17, 1983, 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, and 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 document and authorizing other actions in connection with the issuance of such bonds.**

**SPECIAL ORDINANCE NO. 18, 1983, 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.**

**SPECIAL RESOLUTION NO. 67, 1983, honoring Robert Eichholtz.**

**SPECIAL RESOLUTION NO. 68, 1983, honoring the Indianapolis Shakespeare Festival for their 1983 summer performances at the Garfield Park Amphitheater.**

**SPECIAL RESOLUTION NO. 69, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 70, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 71, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 72, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**Respectfully submitted,**

**s/William H. Hudnut, III  
MAYOR**

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

**PROPOSAL NO. 437, 1983. Councillor Dowden read the proposal in memoriam of Charles Richardson and moved for its adoption, seconded by Councillor Miller. Proposal No. 437, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 73, 1983, and reads as follows:**

### **CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1983**

**A SPECIAL RESOLUTION in memoriam of Charles Richardson.**

WHEREAS, Charles Richardson was a respected citizen of Indianapolis and Marion County; and

WHEREAS, he was a dedicated and hard-working employee for the City of Indianapolis; and

WHEREAS, Mr. Richardson was known and loved by his family, friends, neighbors, and fellow residents; and

WHEREAS, Charles Richardson was tragically taken from us by accidental death on September 6, 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 conveys its condolences to the family of Charles Richardson.

**SECTION 2.** The City-County Council expresses its gratitude for Mr. Richardson's service to his community.

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

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

PROPOSAL NO. 444, 1983. Councillor SerVaas read the proposal establishing procedures for hearing an appeal from Steven Aldrich and he moved, seconded by Councillor Coughenour, for adoption. Proposal No. 444, 1983, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 11, 1983, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1983**

A COUNCIL RESOLUTION establishing procedures for hearing appeal of Steven Aldrich.

WHEREAS, Steven Aldrich has appealed from the actions of the City Controller denying encroachment permit; and

WHEREAS, Section 28-258 of the "Code of Indianapolis and Marion County, Indiana", provides for the City-County Council to hear his petition de novo; now, therefore:

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

**SECTION 1.** The General Counsel is designated hearing officer for purposes of presiding at the hearing on the petition of Steven Aldrich.

**SECTION 2.** The Transportation Committee is appointed to hear the petition of Steven Aldrich, as an investigation committee, and report its finding and recommendations to the full Council at its October 10, 1983, meeting.

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

PROPOSAL NO. 445, 1983. President SerVaas announced that Proposal No. 445, 1983, is a memorial resolution in honor of State Senator Charles E. Bosma who has retired into final rest after many years of dedicated and unselfish public service to his community. Councillor Gilmer read the proposal, which was jointly sponsored by Councillors Gilmer, Borst, Miller, Coughenour and McGrath. Councillor Gilmer moved, seconded by Councillor Borst, for adoption. After a minute of silence in honor of the late Senator Bosma, Proposal No. 445, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 74, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1983**

**A SPECIAL RESOLUTION honoring former State Senator Charles E. Bosma.**

**WHEREAS, Charles E. Bosma met an untimely death at age 61 on September 8, 1983; and**

**WHEREAS, Charles Bosma served two terms in the Indiana House of Representatives; and**

**WHEREAS, Charles Bosma was elected to the Indiana Senate in 1968, won reelection to that body three times, and held a variety of leadership positions including majority whip and assistant president pro tempore; and**

**WHEREAS, Senator Charles Bosma was respected by his peers for his honesty, legislative skills, dedication to the public, and efforts to help the mentally and physically disabled; and**

**WHEREAS, Senator Bosma tirelessly represented and served the citizens of Marion County, Indiana, since 1962; 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 of Indianapolis and Marion County, Indiana, honors and commends Senator Charles E. Bosma for the integrity and high standards he brought to the public offices to which he was elected.**

**SECTION 2. The City-County Council expresses its deep regret to the family of Senator Bosma for his untimely death.**

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

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

PROPOSAL NO. 446, 1983. Introduced by Councillor Strader, this proposal appoints nine (9) members to the task force on Public Housing Projects. Councillor McGrath presented a brief discription of each appointee and moved, seconded by Councillor Strader, for adoption. Proposal No. 446, 1983, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 12, 1983, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1983**

**A COUNCIL RESOLUTION** appointing nine (9) members to the task force on Public Housing Projects.

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

**SECTION 1.** As members of the nine (9) member task force on Public Housing Project problems created by City-County Council Resolution No. 10, 1983, the Council appoints:

**A. D. FORD  
CHARLES PECHETTE  
SAM H. JONES  
ROD BOHANNAN  
REX EARLY  
CHARLES ROGERS  
PEGGY PHILLIPS  
JEAN WOJTOWICZ  
ROBERT E. CROSS**

**SECTION 2.** The appointees shall serve at the pleasure of the Council until their successors are duly appointed.

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

**PROPOSAL NO. 375, 1983.** Councillor Clark moved to place Proposal No. 375, 1983, on the agenda under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, for action during this session of the Council, seconded by Councillor Miller. Consent was given. This proposal appoints Lou Gerig to the Indianapolis Public Transportation Corporation. Councillor Clark moved, seconded by Councillor Gilmer, for adoption. Proposal No. 375, 1983, was adopted by unanimous voice vote, retitled **COUNCIL RESOLUTION NO. 13, 1983**, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1983**

**A COUNCIL RESOLUTION** appointing Louis E. Gerig to the Indianapolis Public Transportation Corporation Board.

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

**SECTION 1.** As a member of the Indianapolis Public Transportation Corporation Board, the Council appoints:

**LOUIS E. GERIG**

**SECTION 2.** The appointee shall serve at the pleasure of the Council filling the unexpired portion of a term of four years, commencing upon passage of this ordinance and ending August 6, 1984, or until a successor is duly appointed.

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

## INTRODUCTION OF PROPOSALS

[Clerk's Note: Councillor Brinkman moved, seconded by Councillor Gilmer, to advance Proposal Nos. 425, 426, 427, and 428, 1983, on the agenda. She explained that all of the proposals have been recommended for passage by the Economic Development Committee on September 9, 1983. Consent was given and the President referred the proposals to Special Orders, Public Hearing.]

PROPOSAL NO. 422, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,875,000 from the Job Training Partnership Act for October 1 to December 31, 1983, for the Employment and Training Division"; and the President referred it to the Administration Committee.

PROPOSAL NO. 423, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Section 6-72, concerning fees for dog licenses"; and the President referred it to the Administration Committee.

PROPOSAL NO. 424, 1983. Introduced by Councillors Clark, Dowden, Hawkins, and Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION urging the City Administration to support and fund Flanner House"; and the President referred it to the Administration Committee.

PROPOSAL NO. 429, 1983. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the lease of a surplus steam locomotive to the Indianapolis Transportation Museum"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 430, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reducing speed limits on Spring Mill Road from Kessler Boulevard to 96th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 431, 1983. Introduced by Councillor Nickell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Meadowlark Drive and Wittfield Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 432, 1983. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Henry Street and Luett Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 433, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 434, 1983. Introduced by Councillor Strader. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Veterans Hospital and West 10th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 435, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A proposal for a GENERAL ORDINANCE changing intersection controls at various locations"; and the President referred it to the Transportation Committee.

#### MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given in order that the Council Rules on Preparation, Initiation, and Introduction of Proposals may be suspended and Proposal Nos. 436, 438-443, 447 and 448, 1983, may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 436, 1983. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE levying taxes and fixing the Rate of Taxation for Indianapolis and Marion County, Indiana for the calendar year 1984"; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 438-443, 1983. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "Proposals for REZONING ORDINANCES certified by the Metropolitan Development Commission on September 9, 1983. Council consent was given. Proposal No. 438-443, 1983, were adopted by consent of the Council, retitled REZONING ORDINANCE NOS. 138-143, 1983, and read as follows:

**REZONING ORDINANCE NO. 138, 1983 83-Z-139 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 18**

**5301 WEST 10TH STREET, INDIANAPOLIS**

L.O.R., INC., by Gordon L. Harper, requests rezoning of 2.58 acres, being in A-2 district, to C-3 classification, to provide for a shopping center.

**REZONING ORDINANCE NO. 139, 1983 83-Z-141 PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8**

**5252 WEST 38TH STREET, INDIANAPOLIS**

Ford Leasing Development Company, by Bruce A. Cordingley, requests rezoning of 6.18 acres, being in C-4 district, to C-5 classification, to provide for zoning conformance for the existing auto dealership.

**REZONING ORDINANCE NO. 140, 1983 83-Z-143 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8  
5025 WEST 37TH STREET, INDIANAPOLIS**

Eagledale Baptist Church, by Benjamin L. Spurlock, Jr., requests rezoning of 15.73 acres, being in D-6 II district, to SU-1 classification, to provide for church use.

**REZONING ORDINANCE NO. 141, 1983 83-Z-159 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
7301 WEST MORRIS STREET, INDIANAPOLIS**

Wayne Township, by its Trustee Harold E. Stofer, by D. William Cramer, requests rezoning of 5.00 acres, being in I-3-S district, to SU-9 classification, to provide for a fire station.

**REZONING ORDINANCE NO. 142, 1983 83-Z-160 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
4302 WEST BRADBURY STREET, INDIANAPOLIS**

Wayne Township, by its Trustee Harold E. Stofer, by D. William Cramer, requests rezoning of 4.60 acres, being in I-2-S, I-3-S and D-5 districts, to SU-9 classification, to provide for a fire station.

**REZONING ORDINANCE NO. 143, 1983 83-Z-162 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1**

2350 WESTLANE ROAD, INDIANAPOLIS  
D & D Realty and USA Communications, Inc., by Bruce R. Karr, request rezoning of 32.43 acres, being in D-6 district, to SU-35 classification, to provide for a television broadcasting tower and accessory buildings.

PROPOSAL NO. 447, 1983. This proposal, which appropriates \$375,000 for the Office of the Director of Public Safety to purchase an automatic call distributor, was withdrawn by the sponsor. Therefore, after considerable discussion regarding the subject matter of Proposal No. 442, 1983, Councillor Boyd moved, seconded by Councillor Journey, to refer this issue to the Public Safety and Criminal Justice Committee for further study. Councillor Brinkman called for the question. Councillor Howard moved, seconded by Councillor Journey, to Strike Proposal No. 447, 1983. Consent was given to call for the question on Councillor Boyd's motion and it carried by the following roll call vote; viz:

*17 YEAS: Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Journey, McGrath, Nickell, Page, Rader, Schneider, Strader, Vollmer*

*10 NAYS: Borst, Coughenour, Howard, Jones, Miller, Rhodes, , SerVaas, Stewart, Tintera, West*

*2 NOT VOTING: Holmes, Sawyers*

PROPOSAL NO. 448, 1983. Introduced by Councillors Coughenour and Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION asking Congress to turn down the \$8,000,000 increase for the International Monetary Fund and suggesting a more creative solution to the problem"; and the President referred it to the Administration Committee.

SPECIAL ORDERS, PUBLIC HEARING

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 yielded to Councillor Clark to give the Committee report. Councillor Clark reported that the Administration Committee recommended passage by a vote of 3-1-1 on September 1, 1983. The President called for a public hearing at 8:23 p.m. There being no one present to testify, Councillor Clark moved, seconded by Councillor Howard, for adoption. Proposal No. 354, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 354, 1983, was retitled FISCAL ORDINANCE NO. 65, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 1983

A FISCAL ORDINANCE amending the City-County Annual budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Million dollars (\$1,000,000) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing additional funding for the Summer CETA Program.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION	MANPOWER FED. PROGRAMS FUND
Employment and Training Division	
1. Personal Services	\$500,000
3. Other Services & Charges	\$500,000
Total Increase	\$1,000,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF ADMINISTRATION	MANPOWER FED. PROGRAMS FUND
Employment and Training Division	
Unappropriated and Unencumbered	
Manpower Federal Programs Fund	\$1,000,000
Total Reduction	\$1,000,000

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

PROPOSAL NO. 374, 1983. This proposal authorizes the execution of a lease of the Indianapolis-Marion County Central Maintenance Garage after construction by the Indianapolis-Marion County Building Authority. The Administration Committee recommended passage by a vote of 3-1-1 on September 1, 1983. Councillor Dowden moved, seconded by Councillor Howard, for adoption. President SerVaas called for a public hearing at 8:25 p.m. There being no one present to testify, the President called for the vote and Proposal No. 374, 1983, was adopted on the following roll call vote; viz:

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

3 NAYS: *Clark, Nickell, Schneider*

1 NOT VOTING: *Borst*

Proposal No. 374, 1983, was retitled SPECIAL ORDINANCE NO. 19, 1983, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1983**

A SPECIAL ORDINANCE authorizing the execution of a lease of the Indianapolis - Marion County Central Maintenance Garage after construction thereof by the Indianapolis - Marion County Building Authority.

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 8, 1982; and

WHEREAS, the City has negotiated a proposed lease of such Garage with the Authority, which lease has been the subject of a public hearing by the City on September 12, 1983, in accordance with Indiana Code, Section 36-9-13-27; and

WHEREAS, there is before this Council a copy of the proposed lease as negotiated with the Authority and submitted to public hearing, 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 City-County Council hereby finds and determines that the execution of the proposed Indianapolis - Marion County Central Maintenance Garage Lease at an annual fixed rental not in excess of \$780,000.00, a copy of which Lease is attached to this Ordinance, marked Exhibit "A", and made a part hereof, is necessary to provide proper facilities to the City, and that the basis for the determination of the lease rental is fair and reasonable.

**SECTION 2.** The Mayor of the City of Indianapolis, for and on behalf of the City is hereby authorized to execute said Indianapolis - Marion County Central Maintenance Garage Lease with the Indianapolis - Marion County Building Authority, and the Clerk of the City-County Council is hereby authorized to affix the seal of the City to said Lease and to attest the same.

**SECTION 3.** The Clerk of the City-County Council is hereby authorized and directed to publish notices of the execution of said Indianapolis - Marion County Central Maintenance Garage Lease as provided by statute following execution as aforesaid.

**SECTION 4.** This ordinance shall be effective upon adoption and compliance with I.C. 36-3-4-14.

**PROPOSAL NO. 391, 1983.** This proposal appropriates \$17,515 of federal grant funds for the Emergency Management Planning Division for a Hazardous Materials Transportation Study. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on September 1, 1983. The President called for a public hearing at 8:27 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Campbell, for adoption. Proposal No. 391, 1983, was adopted on the following roll call vote; viz:

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

*2 NAYS: Howard, Schneider*

*1 NOT VOTING: Dowden*

Proposal No. 391, 1983, was retitled **FISCAL ORDINANCE NO. 66, 1983**, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 66, 1983**

A **FISCAL ORDINANCE** amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Seventeen Thousand Five Hundred Fifteen Dollars (\$17,515) in the Consolidated County Fund for purposes of the Department of Public Safety, Emergency Management Planning Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for

1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing federal grant funds for a Hazardous Materials Transportation Study to review and improve planning for traffic accidents involving hazardous materials.

SECTION 2. The sum of Seventeen Thousand Five Hundred Fifteen Dollars (\$17,515) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY	
EMERGENCY MANAG. PLANNING DIV. CONSOLIDATED COUNTY FUND	
2. Supplies	\$ 1,865
3. Other Services & Charges	<u>\$15,650</u>
Total Increase	<u>\$17,515</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY	
EMERGENCY MANAG. PLANNING DIV. CONSOLIDATED COUNTY FUND	
Unappropriated and Unencumbered	
Consolidated County Fund	<u>\$17,515</u>
Total Reduction	<u>\$17,515</u>

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

PROPOSAL NO. 392, 1983. This proposal appropriates \$332,966 of State and Federal Grant Funds for the Community Corrections Program. Councillor Holmes reported that this proposal gives the Community Corrections Board authority to spend this money. The President called for public testimony at 8:30 p.m. After comments from the Board President Karl Stipher, Councillor Holmes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 392, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 392, 1983, was retitled FISCAL ORDINANCE NO. 67, 1983, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 67, 1983**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Three Hundred Thirty-two Thousand Nine Hundred Sixty-six Dollars (\$332,966) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (e) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the Community Corrections Program which is all reimbursed by the State and establishing the personnel schedule.

**SECTION 2.** The sum of Three Hundred Thirty-two Thousand Nine Hundred Sixty-six Dollars (\$332,966) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

<b>COMMUNITY CORRECTIONS ADVISORY BOARD</b>	<b>STATE AND FEDERAL GRANT FUND</b>
31. Personal Services	\$84,281
33. Travel	200
34. Equipment	12,096
35. Operating Expenses	<u>224,375</u>
	<b>320,952</b>
<b>MARION COUNTY AUDITOR</b>	
1. Personal Services (Fringes)	<u>12,014</u>
Total Increase	<b>\$332,966</b>

**SECTION 4.** The said additional appropriations are funded by the following reductions:

<b>COMMUNITY CORRECTIONS ADVISORY BOARD</b>	<b>STATE AND FEDERAL GRANT FUND</b>
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$332,966</u>
Total Reduction	<b>\$332,966</b>

**SECTION 5.** The personnel schedule for the agency is established as follows:

**MARION COUNTY COMMUNITY CORRECTIONS ADVISORY BOARD**

Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Community Correc. Coord.	1	20,181	20,181
Home Detention Coord.	1	15,000	15,000
Jail Community Correc. Coord.	1	18,600	18,600
Assistant Jail Coord.	1	12,000	12,000
Secretary/Bookkeeper	1		6,000
Legal Interns	2		7,500
Social Service Interns	<u>5</u>		<u>5,000</u>
<b>TOTAL</b>	<b>12</b>		<b>\$84,281</b>

**SECTION 6.** This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 393, 1983. This proposal appropriates \$10,000 for the Flood Control Division for mowing and cleaning parcels of private property which are devaluating adjoining properties. Councillor Coughenour moved, seconded by Councillor Miller, to postpone Proposal No. 393, 1983, until September 26, 1983. Council consent was given.

PROPOSAL NO. 425, 1983. This proposal, for a final bond ordinance authorizing the issuance of a \$1,000,000 Economic Development Revenue Bonds for Laser Robotic Machining, Inc., was recommended for passage by the Economic Development Committee by a vote of 3-0 on September 9, 1983. The Project provides for the purchase of one laser driller, one laser cutter and two laser markers. Located at 2230 South Tibbs Avenue, the Company will perform drilling, cutting, and marking services for industrial manufacturers such as General Electric, Detroit Diesel Allison and others. The bond will be privately placed and the interest rate will be 80% of Indiana National Bank's prime. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 425, 1983, was adopted on the following roll call vote; viz:

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

4 NAYS: *Howard, Jones, Nickell, Strader*

1 NOT VOTING: *Schneider*

Proposal No. 425, 1983, was retitled SPECIAL ORDINANCE NO. 20, 1983, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 20, 1983**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Laser Robotic Machining, Inc. Project)" in the principal amount of One Million Dollars (\$1,000,000) 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 Laser Robotic Machining, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 9, 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 Laser Robotic Machining, Inc. (the "Company") consisting of the acquisition and installation of one 5-axis robotic laser driller, one 5-axis robotic laser cutter and two laser markers including site improvements to be located at 2230 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") which will be initially owned and operated by Laser Robotic Machining, Inc., 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 Equipment Loan and Security Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), Bond Purchase Agreement, Guaranty Agreement and the City of Indianapolis, Indiana Economic Development Revenue Bond (Laser Robotic Machining, Inc. Project) 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 Equipment Loan and Security Agreement consisting of the acquisition and installation of one 5-axis robotic laser driller, one 5-axis robotic laser cutter and two laser markers including site improvements to be located at 2230 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") which will be initially owned and operated by Laser Robotic Machining, Inc., 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 Laser Robotic Machining, Inc. for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Laser Robotic Machining, Inc. 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 Promissory Note and Equipment Loan and Security Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), Bond Purchase Agreement, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Laser Robotic Machining, Inc. 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, Bond Purchase Agreement, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Laser Robotic Machining, Inc. Project) 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 (Laser Robotic Machining, Inc. Project) in the principal amount of One Million Dollars (\$1,000,000) for the purpose of procuring funds to loan to Laser Robotic Machining, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Equipment Loan and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Laser Robotic Machining, Inc. on its Promissory Note in the principal amount of One Million Dollars (\$1,000,000) which will be executed and delivered by Laser Robotic Machining, Inc. to evidence and secure said loan, and as otherwise provided in the above described Equipment Loan and Security Agreement and Guaranty 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 eighty percent (80%) of the prime commercial lending rate quoted and announced, as such rate changes, from day to day, by The Indiana National Bank at its principal office in Indianapolis, Indiana. In the event of a Determination of Taxability (as defined in the Equipment Loan and Security Agreement), interest on the Bond to redemption shall increase to the Taxable Rate which shall mean a rate per annum equal to the prime commercial lending rate quoted and announced by The Indiana National Bank at its principal office in Indianapolis, Indiana as such rate changes from day to day, plus one and one-half percent (1-1/2%) and the City may be required to pay additional interest from the Date of Taxability (as defined in the Equipment Loan and Security Agreement) as provided in Section 4 of the Bond Purchase Agreement. Interest shall be computed on the outstanding principal balance of the Bond on the basis of a three hundred sixty (360) day year, thirty (30) day month. 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 Equipment Loan and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond (Laser Robotic Machining, Inc. Project), the Endorsement to the Promissory Note, and the Bond Purchase Agreement 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 Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Equipment Loan and Security Agreement, the Endorsement to the Promissory Note, the Bond Purchase Agreement and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein and also in the 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 6. 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 Revenue Bond (Laser Robotic Machining, Inc. 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. 426, 1983. This proposal, for a final bond ordinance authorizing the issuance of \$3,200,000 Economic Development First Mortgage Revenue Bonds for Miller's Merry Manor, Inc., was recommended for passage by the Economic Development Committee by a vote of 3-0-1 on September 9, 1983. Councillor Brinkman reported that this project provides for the purchase and renovation of the existing 153 bed Greenview Manor Nursing Home located at 1700 North Illinois Street. The bonds will be sold to Traub and Company, Inc., as Underwriter, at a price equal to 95 percent of the aggregate principal amount with the interest rate not to exceed 13½ percent. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 426, 1983, was adopted on the following roll call vote; viz:

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

1 NAY: *Schneider*

4 NOT VOTING: *Coughenour, Dowden, Nickell, Rhodes*

Proposal No. 426, 1983, was retitled SPECIAL ORDINANCE NO. 21, 1983, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 21, 1983

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project)" in the aggregate principal amount of Three Million Two Hundred Thousand Dollars (\$3,200,000) 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 Miller's Merry Manor, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 9, 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 Miller's Merry Manor, Inc. (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of the existing 153 bed (102 skilled care and 51 intermediate care) Greenview Manor Nursing Home and the machinery and equipment to be installed therein plus certain site improvements located at 1700 North Illinois Street, Indianapolis, Indiana, on approximately 3/4 acre of land (the "Project") which will be initially owned and operated by Miller's Merry Manor, Inc., 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 Series 1983 Promissory Note and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the form of the City of Indianapolis, (Indiana) Economic Development First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project), Mortgage and Indenture of Trust, Guaranty Agreement, Bond Purchase Agreement and Official Statement 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 Loan Agreement consisting of the acquisition, construction, renovation, installation and equipping of the existing 153 bed (102 skilled care and 51 intermediate care) Greenview Manor Nursing Home and the machinery and equipment to be installed therein plus certain site improvements located at 1700 North Illinois Street, Indianapolis, Indiana, on approximately 3/4 acre of land and operated by Miller's Merry Manor, Inc., previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of the revenue bonds, the loan of the net proceeds thereof to Miller's Merry Manor, Inc. for the purposes of financing the economic development facilities being acquired, constructed, renovated, installed and equipped or to be acquired, constructed, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Miller's Merry Manor, Inc. 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 Financing Agreement, form of the City of Indianapolis (Indiana) Economic Development First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project), Mortgage and Indenture of Trust, Guaranty Agreement, Bond Purchase Agreement and Official Statement 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, form of the City of Indianapolis (Indiana) Economic Development First Mortgage Revenue Bonds (Miller's Merry Manor, Inc. Project), Mortgage and Indenture of Trust, Guaranty Agreement, Bond Purchase Agreement and Official Statement 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 First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project) in the aggregate principal amount of Three Million Two Hundred Thousand Dollars (\$3,200,000) for the purpose of procuring funds to loan to Miller's Merry Manor, Inc. 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 Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Miller's Merry Manor, Inc. on its Series 1983 Promissory Note in the principal amount of Three Million Two Hundred Thousand Dollars (\$3,200,000) which will be executed and delivered by Miller's Merry Manor, Inc. to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Indenture of Trust and Guaranty Agreement. The Bonds 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 Bonds to Traub and Company, Inc., as Underwriter, at a price equal to 95% of the aggregate principal amount thereof, plus accrued interest, if any, for reoffering by the Underwriter and at a stated per annum rate of interest not to exceed thirteen and one-half percent (13½%).

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, Loan Agreement, Mortgage and Indenture of Trust, Official Statement, the City of Indianapolis (Indiana) Economic Development First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project), the Endorsement to the Series 1983 Promissory Note, 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 Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to Traub and Company, Inc., as Underwriter, payment for which will be made in the manner set forth in the Mortgage and Indenture of Trust. The Mayor and City Clerk may by their execution of the Bond Purchase Agreement, Loan Agreement, Mortgage and Indenture of Trust, Official Statement, the Endorsement to the Series 1983 Promissory Note, and imprinting of their facsimile signatures on the Bonds or their manual execution thereof approve changes therein and also in the 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 6.** The provisions of this ordinance and the Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1983 (Miller's Merry Manor, Inc. Project), and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds 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. 427, 1983.** This proposal, for a final bond ordinance authorizing the issuance of a \$9,000,000 Economic Development Revenue Bond for Methodist Associates, Ltd., was recommended for passage by the Economic Development Committee on September 9, 1983, by a vote of 3-0. Councillor Brinkman reported that this project provides for the construction and equipping of an eight-story, 165,000 square foot medical office building located north of the proposed new Methodist Hospital West Building. The rate of interest through the construction

period will be 67 percent of Indiana National Bank's prime followed by 11½ percent for the first investor. Councillor Brinkman moved, seconded by Councillor Gillmer, for adoption. Proposal No. 427, 1983, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Brinkman, Coughenour, Hawkins, Jones*

Proposal No. 427, 1983, was retitled SPECIAL ORDINANCE NO. 22, 1983, and reads as follows:

#### CITY-COUNTY SPECIAL ORDINANCE NO. 22, 1983

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Methodist Associates, Ltd. Project)" in the principal amount of Nine Million Dollars (\$9,000,000) 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 Methodist Associates, Ltd., an Indiana Limited Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 9, 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 Methodist Associates, Ltd., an Indiana Limited Partnership (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 165,000 square foot eight story medical office building to be principally occupied by members of Methodist Associates, Ltd. and the machinery and equipment to be installed therein plus certain site improvements to be located immediately north of the new Methodist Hospital West Building, in approximately the 1700 block of relocated Senate Avenue, Indianapolis, Indiana, on approximately 0.55 acres of land, which will be initially owned and operated by the Company through a management contract with Thomas & Associates, Inc., complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing and leasing units in said facilities to persons 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, Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1983 (Methodist Associates, Ltd. Project) 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 Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture consisting of the acquisition, construction, installation and

equipping of an approximately 165,000 square foot eight story medical office building to be principally occupied by members of Methodist Associates, Ltd. and the machinery and equipment to be installed therein plus certain site improvements to be located at immediately north of the new Methodist Hospital West Building, in approximately the 1700 block of relocated Senate Avenue, Indianapolis, Indiana, on approximately 0.55 acres of land (the "Project") which will be initially owned by Methodist Associates, Ltd., an Indiana Limited Partnership through a management contract with Thomas & Associates, Inc. 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 Methodist Associates, Ltd., an Indiana Partnership 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 Methodist Associates, Ltd., an Indiana Limited Partnership 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 forms of the Promissory Note, Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1983 (Methodist Associates, Ltd. 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 Promissory Note, Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1983 (Methodist Associates, Ltd. Project) 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, Series 1983 (Methodist Associates, Ltd. Project) in the principal amount of Nine Million Dollars (\$9,000,000) for the purpose of procuring funds to loan to Methodist Associates, Ltd., an Indiana Limited Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Methodist Associates, Ltd., an Indiana Limited Partnership on its Promissory Note in the principal amount of Nine Million Dollars (\$9,000,000) which will be executed and delivered by Methodist Associates, Ltd., an Indiana Limited Partnership to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase and Loan Agreement, and Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture. 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:

- (a) While and so long as The Indiana National Bank (the "Bank") holds the Bond the unpaid balance of the principal sum of the Bond shall bear interest from the date of the Bond at the rate of 67% of the Prime Rate prior to maturity, and after maturity or the occurrence of an Event of Default, or in the event of a Determination of Taxability, at the rate of 1½% above the Prime Rate;
- (b) While and so long as the First Permanent Investor holds the Bond the unpaid balance of the principal sum of the Bond shall bear interest from the First Assignment Date at the rate of eleven and one-half percent (11-1/2%) per annum prior to maturity, and after maturity or the occurrence of any Event of Default, or in the event of a Determination of Taxability, at the rate of fourteen and one-half percent (14-1/2%) per annum;

(c) While and so long as a Second Permanent Investor holds the Bond, the Bond shall bear interest at such rate(s) and have interest and principal payable as the Methodist Associates, Ltd., the Second Permanent Investor and, if deemed necessary by Bond Counsel, the City may mutually agree, so as to be comparable to the terms then being offered by the Second Permanent Investor for like investments, provided, however, that such interest rate(s) shall not exceed 2% over the Prime Rate and that the final maturity of the Bond shall not exceed thirty (30) years.

However, in no event shall the per annum rate of interest exceed thirty percent (30%).

In the event that any installment of interest and/or principal provided for in the Bond is not received by the Bondholder when the same becomes due, the City shall pay the Bondholder a "late charge" in an amount equal to five percent (5%) of such delinquent payment to defray part of the cost of collection of such delinquent payment.

The terms "Prime Rate", "Event of Default", "Determination of Taxability", "First Assignment Date", "First Permanent Investor", "Second Permanent Investor", "Bondholder" and "Bond Counsel" used above shall have the same meanings as those terms are defined in the Bond Purchase and Loan Agreement.

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1983 (Methodist Associates, Ltd. Project), and the Endorsement of the Promissory Note 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 Bond Purchase and Loan Agreement payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Assignment of Leases and Rents and Trust Indenture, the Endorsement of the Promissory Note, and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein 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 Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1983 (Methodist Associates, Ltd. 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. 428, 1983. This proposal, for a final bond ordinance authorizing the issuance of \$400,000 Economic Development Revenue Bonds for Delta Sigma Phi Fraternity, was recommended for passage by a vote of 3-0 on September 9, 1983. Councillor Brinkman reported that this project relocates the national headquarters from 3901 West 86th Street to the Thomas Taggart home located at 1331 North Delaware Street. The interest rate is 70 percent of Indiana National Bank's prime, but the resultant rate shall never fall below 6 percent or exceed 12 percent per annum. Councillor Brinkman moved, seconded by Councillor Gilmer, for adoption. Proposal No. 428, 1983, was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Gilmer, Hawkins, Holmes, McGrath, Miller, Rhodes, Sawyers, SerVaas, Tintera, Vollmer, West*

9 NAYS: *Durnil, Howard, Jones, Journey, Nickell, Page, Rader, Schneider, Stewart*

2 NOT VOTING: *Coughenour, Strader*

Proposal No. 428, 1983, was retitled SPECIAL ORDINANCE NO. 23, 1983, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 23, 1983**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) 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 Delta Sigma Phi Fraternity and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 9, 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 Delta Sigma Phi Fraternity, a District of Columbia not-for-profit corporation (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing Thomas Taggart Home containing approximately 10,000 square feet which is located in a registered historic district, and the machinery and equipment to be installed therein plus certain site improvements to be located at 1331 North Delaware Street, Indianapolis, Indiana, on approximately 1.5 acres of land which will be used by Delta Sigma Phi Fraternity as offices for its national headquarters (the "Project") which will be initially owned and operated by Delta Sigma Phi Fraternity, a District of Columbia not-for-profit 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 Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity Project) 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 Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the existing Thomas Taggart Home containing approximately 10,000 square feet which is located in a registered historic district, and the machinery and equipment to be installed therein plus certain site improvements to be located at 1331 North Delaware Street, Indianapolis, Indiana, on approximately 0.5 acres of land which will be used by Delta Sigma Phi Fraternity as offices for its national headquarters, 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 Delta Sigma Phi Fraternity for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Delta Sigma Phi Fraternity 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 Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity 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 Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement, and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity Project) 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 First Mortgage Revenue Bond (Delta Sigma Phi Fraternity Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of procuring funds to loan to Delta Sigma Phi Fraternity in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Delta Sigma Phi Fraternity on its Promissory Note in the principal amount of Four Hundred Thousand Dollars (\$400,000) which will be executed and delivered by Delta Sigma Phi Fraternity to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, 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 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 from the date of delivery of the Bond at the rate of seventy percent (70%) of the prime rate announced by The Indiana National Bank, at its principal office from time to time, provided that such rate shall never fall below 6% per annum or exceed 12% per annum; provided further, however, that if a Determination of Taxability, as defined in the Loan Agreement, Mortgage and Security Agreement, shall be made, the interest on the Bond shall be payable at the Taxable Rate. After maturity or the occurrence of any event of default, the Bond shall also bear interest at a rate per annum equal to the Taxable Rate. Interest on the Bond shall be computed on the basis of a 360-day year, and the actual days elapsed. "Taxable rate" means a rate per annum equal to the prime rate announced by The Indiana National Bank, at its principal office from time to time, plus two percent (2%), provided that such rate shall never exceed 18% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity Project), and the Endorsement to the Promissory Note 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 Bond Purchase Agreement 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 Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, the Endorsement to the Promissory Note, and imprinting of their facsimile signatures on the Bond or their manual execution thereof approve changes therein 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 Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bond (Delta Sigma Phi Fraternity 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.

### SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 355, 1983. This proposal transfers \$18,284 for the Marion County Coroner's Office to continue normal operations and adjust the personnel schedule. Councillor Tintera reported that the County and Townships Committee recommended passage by a vote of 3-0 on August 24, 1983. Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 355, 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, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Tintera, Vollmer, West*  
NO NAYS

3 NOT VOTING: *Clark, Gilmer, Strader*

Proposal No. 355, 1983, was retitled FISCAL ORDINANCE NO. 68, 1983, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 68, 1983

A FISCAL ORDINANCE amending the City-County Annual budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Eighteen Thousand Two Hundred Eighty-four Dollars (\$18,284) in the County General Fund for purposes of the Marion County Coroner and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(5) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to continue normal operations and adjusting the personnel schedule.

SECTION 2. The sum of Eighteen Thousand Two Hundred Eighty-four Dollars (\$18,284) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY CORONER  
 3. Other Services & Charges  
 Total Increase

COUNTY GENERAL FUND  
\$18,284  
\$18,284

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY CORONER  
 1. Personal Services  
 Total Reduction

COUNTY GENERAL FUND  
\$18,284  
18,284

SECTION 5. The personnel schedule is amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Coroner	1	14,837	14,837
Deputy Morgue Coord.	1	2,904	2,904
Chief Deputy	1	15,517	15,517
Deputies Salary	4	11,365	45,460
Deputy Physician	1	1,873	1,873
Admin. Secretary	1	12,101	12,101
Hospital Deputy	1	2,115	2,115
Medical Stenographers	2	9,692	<del>19,384</del> <u>10,084</u>
Medical Stenographer	1	10,934	<u>10,934</u>
Temporary Salary	1	3,684	<del>3,684</del> <u>0</u>
Special Deputies			<del>12,500</del> <u>8,000</u>
Dental Professional			<del>1,000</del> <u>200</u>
Witness Fees			<u>90</u>
<b>TOTAL</b>	<b>14</b>		<del>142,389</del> <u>124,115</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 376, 1983. This proposal transfers \$4,000 for the Mayor's Office to purchase supplies to continue normal operations. Councillor Dowden reported that the Administration Committee recommended passage by a vote of 5-0 on September 1, 1983. Councillor Dowden moved, seconded by Councillor Clark for adoption. Proposal No. 376, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 376, 1983, was retitled FISCAL ORDINANCE NO. 69, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Four Thousand Dollars (\$4,000) in the City General Fund for purposes of the Office of the Mayor and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to purchase supplies necessary to continue normal operations for the remainder of 1983.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

OFFICE OF THE MAYOR	CITY GENERAL FUND
2. Supplies	\$4,000
Total Increase	<u>\$4,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:

OFFICE OF THE MAYOR	CITY GENERAL FUND
3. Other Services & Charges	\$2,000
4. Capital Outlay	<u>2,000</u>
Total Reduction	<u>\$4,000</u>

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

PROPOSAL NO. 389, 1983. This proposal transfers \$825 for Superior Court - Criminal Probation Department for mileage created by the House Arrest Program. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on September 1, 1983. Councillor Holmes moved, seconded by Councillor Howard, for adoption. Proposal No. 389, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 389, 1983, was retitled FISCAL ORDINANCE NO. 70, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Eight Hundred Twenty-five Dollars (\$825) in the County General Fund for purposes of Superior Court - Probation Department and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (b)(1) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for mileage created by the House Arrest Program and additional emphasis on field contracts with probationers.

SECTION 2. The sum of Eight Hundred Twenty-five Dollars (\$825) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

CRIMINAL PROBATION DEPARTMENT COUNTY GENERAL FUND	
3. Other Services & Charges	<u>\$825</u>
Total Increase	<u>\$825</u>

SECTION 4. The said increased appropriation is funded by the following reductions:

CRIMINAL PROBATION DEPARTMENT COUNTY GENERAL FUND	
4. Capital Outlay	<u>\$825</u>
Total Reduction	<u>\$825</u>

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

PROPOSAL NO. 390, 1983. This proposal transfers \$20,000 for the Marion County Sheriff for vehicle maintenance for the remainder of 1983. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on September 1, 1983. He reported that the Sheriff plans to transfer money from the gasoline account into maintenance for the automobiles in anticipation of major repairs before the end of the year. Councillor Holmes moved, seconded by Councillor Nickell, for adoption. Proposal No. 390, 1983, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Gilmer*

Proposal NO. 390, 1983, was retitled FISCAL ORDINANCE NO. 71, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Twenty Thousand Dollars (\$20,000) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(7) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to vehicle maintenance for operational requirements during the remainder of 1983.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$20,000</u>
Total Increase	<u>\$20,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
2. Supplies	<u>\$20,000</u>
Total Reduction	<u>\$20,000</u>

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

PROPOSAL NO. 411, 1983. This proposal approves 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. Councillor West reported that the Public Safety and Criminal Justice Committee recommended to amend and pass Proposal No. 411, 1983, by a vote of 5-0-1 on September 1, 1983. Councillor West moved, seconded by Councillor Holmes, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 411, 1983, by deleting the introduced version and substituting therefor the proposal entitled: "Proposal No. 411, 1983, Committee Recommendations".

Councillor West

Councillor West stated that the amendment changes the word "additional" to "sufficient" and it is the intent of this proposal to move ahead with the jail expansion.

sion and enter into a ten year contract for at least 30 beds with the State. Consent was given on the amendment. Councillor West moved, seconded by Councillor Brinkman, for adoption. Proposal No. 411, 1983, As Amended, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Nickell, Rhodes, Schneider, SerVaas, Stewart, Vollmer, West*

8 NAYS: *Clark, Durnil, Miller, Page, Rader, Sawyers, Strader, Tintera*

1 NOT VOTING: *Jones*

Proposal No. 411, 1983, As Amended, was retitled GENERAL RESOLUTION NO. 8, 1983, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 8, 1983**

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.

WHEREAS, the U.S. Marshals Service Cooperative Agreement Program has approximately \$2,000,000 allocated for distribution to local governments for renovation, expansion or construction of local detention facilities; and

WHEREAS, the Cooperative Agreement Program requires local governments to utilize the funds solely for construction, expansion or renovation of detention facilities; and

WHEREAS, a local government which receives funds from the Cooperative Agreement Program must agree to provide eighty prisoner spaces for federal prisoners for fifteen years after receipt of funds; and

WHEREAS, Marion County is eligible to receive funds from the Cooperative Agreement Program; and

WHEREAS, the State of Indiana and its Department of Corrections are under Federal Court Order to submit plans for reducing overcrowding in the State's Correctional facilities; and

WHEREAS, the State of Indiana through its Department of Corrections and the Governor have sought agreements with Marion County to pay for unused jail space for housing certain of the State's prisoners; and

WHEREAS, Marion County is currently financing the construction of a five story addition to the existing jail facilities; and

WHEREAS, if Marion County receives funds from the Cooperative Agreement Program, the funds may be used to defray approximately half the costs of adding a sixth and seventh floor to the jail expansion project; and

WHEREAS, the addition of a sixth and seventh floor to the jail expansion project would provide space for one hundred sixty prisoners; and

WHEREAS, Marion County would be responsible for financing the construction costs of the sixth and seventh floors of the jail expansion to the extent the construction costs exceed the funds available from the Cooperative Agreement Program; now, therefore:

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

SECTION 1. If Marion County receives a \$2,000,000 grant from the U.S. Marshals Service Cooperative Agreement Program, the City-County Council of Indianapolis and Marion County agrees to provide up to eighty prisoner spaces for federal prisoners in the Marion County Jail for fifteen years as a requirement for participation in the U.S. Marshals Service Cooperative Agreement Program.

SECTION 2. The City-County Council of Indianapolis and Marion County approves the use of Cooperative Agreement Program funds for the construction of the sixth and seventh floors of the addition to the Marion County Jail and authorizes compliance with the requirements of the Program. Provided, however, that such addition shall only be authorized if the Governor and the State Department of Corrections agree to sign an immediate ten (10) year lease to contract for at least 30 jail spaces and to recommend to the 1984 Legislature sufficient funding authority to amend this initial contract to at least 160 spaces.

SECTION 3. The City-County Council understands that since other multi-year lease contracts have been executed by the State of Indiana for lease of space and buildings in Indianapolis, this agreement between the State and the County shall parallel these agreements to provide the maximum legal assurance that both the County as lessor and the State as lessee shall complete the ten-year term of the lease.

SECTION 4. This resolution supersedes City-County General Resolution No. 7, 1983.

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

ANNOUNCEMENTS AND ADJOURNMENT

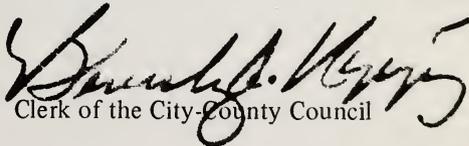
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:08 p.m.

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 12th of September, 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

(SEAL)